

December 6, 2023

The Honorable Bernie Sanders
Chair
Senate Health, Education, Labor, and Pensions Committee

The Honorable Bill Cassidy
Ranking Member
Senate Health, Education, Labor, and Pensions Committee

Dear Chair Sanders and Ranking Member Cassidy,

We, the undersigned, submit recommendations for improvements to the Advancing Research in Education Act of 2023. We are grateful for the bipartisan efforts to reauthorize this critical legislation to increase the timeliness and usefulness of education research and development to improve teaching and learning nationwide.

In particular, we applaud the revisions to the Statewide Longitudinal Data Systems Program. The new language will help states better track students' progress through K-12 and into the workforce, integrate data across multiple domains, ensure the privacy of students' education records, and generate high-quality data in actionable formats. Bolstered by the new language, these modernized systems will be an effective tool to inform translational and use-driven research, resulting in meaningful and measurable benefits in school districts and postsecondary institutions.

While the discussion draft makes important changes to certain programs, it fails to prioritize development, and, in particular, does not include necessary elements to facilitate breakthrough innovations and severely limits the use of research. Specifically, we request the following:

- Authorize an Advanced Education R&D Program to advance cutting-edge developments to support teaching and learning. This program would build upon a current pilot within the Institute of Education Sciences (IES), filling a gap that currently exists in the federal education R&D landscape. Other existing R&D programs do not support early-stage development of bold innovations in the education space. This program would complement existing education federal programs and ensure that education can, finally, benefit from the Advanced Research Projects Agency model, which has produced breakthroughs in defense, health, and nearly every other sector.
- Revise the definition of evidence-based to ensure research is relevant, timely, and inclusive. The current definition of "evidence-based" is overly restrictive and would severely limit certain IES-funded activities and dissemination to only certain, expensive research designs that are "capable of causal inference." This definition would stifle innovation and development overall, as well as direct a large amount of funding to expensive research designs, dramatically limiting the

resources available to educators and further hindering schools' ability to support all learners in multiple contexts. Federal research funds should not make it harder for stakeholders to find solutions to problems facing education, and this definition would do that.

Instead, we urge the Senate HELP Committee's leadership to update the "evidence-based" definition to mirror the well-established and understood definition of evidence-based in the Every Student Succeeds Act (ESSA) or reference the bill's widely respected definition of "principles of scientifically valid research."

We request that you consider the attached edits to the AREA discussion draft to mitigate opportunity gaps and strengthen our nation's global competitiveness.

We look forward to working with the Committee to improve and advance AREA. If you have questions, please contact Tasha Hensley (tasha@the-learning-agency.com) and Meg Benner (meg@the-learning-agency.com).

Sincerely,

2Revolutions

Advanced Education Research and Development Fund (AERDF)

Alliance for Learning Innovation

America Forward

American Association of Colleges for Teacher Education (AACTE)

American Psychological Association Services

CAST

CodeAsia

Committee for Children

Common Sense Media

Digital Promise

EDGE Consulting Partners

Education Reform Now

Education Reimagined

Educators for Excellence

ExcelinEd in Action

Federation of American Scientists

Fordham Institute

Formation Ventures, Inc

Innovations4Education

Kumar Garg, Schmidt Futures

LearningForge LLC

Luminary Labs

National Association of School Psychologists

National Association of Secondary School Principals

National Center for Learning Disabilities

New Classrooms

North Dakota Department of Public Instruction

Pamela Cantor MD LLC

SETDA

Software & Information Industry Association

Student Achievement Partners

The Education Trust

The Learning Agency

The Tech Interactive

Transcend

[p. 29, Line Number: 19, Section 134]

Feedback #1: after “review.” insert “Sec. 135 Advanced Education Research and Development Program

(a) Establishment. - There is established in the National Center for Education Research an Advanced Education Research and Development Program (referred to as the ‘Advanced Development Program’).

(b) Mission. - The mission of the Advanced Development Program is to support quick-turnaround, high-reward scalable solutions intended to identify, develop, and promote advances in and new solutions for teaching and learning, with an emphasis on breakthrough technologies, new pedagogical approaches, innovative learning models, and more efficient, reliable, and valid forms of assessments.

(c) Manager. - The Advanced Development Program shall be headed by an Associate Commissioner of Advanced Education Research and Development (in this part referred to as the ‘Advanced Development Associate Commissioner’) who shall be highly qualified and have substantial knowledge of the methodologies used and activities undertaken by the Advanced Development Program.

(1) GENERAL DUTIES.—The Advanced Development Associate Commissioner shall—

(A) collect, report, analyze, and disseminate data related to transforming education in the United States;

(B) approve and terminate projects;

(C) work with the NBES board to set priorities that align with the mission of the Advanced Development Program, including by identifying areas that can be furthered by research and development and support the use of scientific discoveries and inventions to improve teaching and learning

(D) carry out independent, periodic, and rigorous evaluation of awards under this section to determine their relevance, accessibility, and utility, and widely disseminate such findings, including to the appropriate authorization and appropriations committees in the House and Senate.

(d) Scientific Or Technical Employees. –

(1) In General.—The Advanced Development Associate Commissioner, working with the Director, may;

(A) make and rescind appointments of scientific, engineering, and professional personnel, which may include temporary or time-limited appointments as determined by the Director to fulfill the mission of the Institute, without regard to any provision in title 5, United States Code, governing appointments and removals under the civil service laws, and fix the base pay compensation of such personnel at a rate to be determined by the Director, provided that—

(i) appointments of scientific or technical employees, including experts in privacy, security of personally identifiable information, and cybersecurity, to carry out the functions of the Institute or the office, board, committee, or center, respectively, may not exceed 6 years and may include personnel on leave from academic, industrial, and research institutions;

(ii) the appointment of such employee is necessary (as determined by the Director on the basis of clear and convincing evidence) to provide the Institute or the office, board, committee, or center with scientific or technical expertise which could not otherwise be obtained by the Institute or the office, board, committee, or center through the competitive service;

(iii) public notice is given of the availability of such positions and opportunities are provided for qualified individuals, including personnel affiliated with minority serving institutions, to apply for such positions; and

(iv) the total number of such employees does not exceed 50 individuals or one-fifth of the number of full-time, regular scientific or professional employees of the Institute, whichever is greater.

(B) Duties of Employees.—All employees described in subsection (d) shall work on activities of the Institute or the office, board, committee, or center, and shall not be reassigned to other duties outside the Institute or the office, board, committee, or center during their appointment.

(e) Community Informed Definition for Advanced Education Research and Development Program

(1) Community Informed Definition - All awards funded under this section must be community-informed, defined as informed by input from State educational agencies, local educational agencies, parents, students, and education practitioners, including teachers, principals, and other school leaders within the community or regional area where activities planned and carried out by the Advanced Development Program will occur.

(f) Authorization of Appropriations for Advanced Education Research and Development Program.

(1) IN GENERAL. - There are authorized to be appropriated to carry out this part such sums necessary for each of fiscal years 2024 through 2028.

(2) TIMING.—Amounts made available for a fiscal year under this section shall remain available until expended.

(3) RESERVATION.—The Advanced Development Manager may reserve not more than 5 percent of the funds appropriated for a fiscal year under this section for administrative expenses and technical assistance.

(g) Awards made under the Advanced Education Research and Development Program shall be made based solely on the novelty, scientific and technical merit, and future scalable applications of a proposed project.

(1) IN GENERAL .—In carrying out the duties under this section, the Advanced

Development Associate Commissioner, in consultation with the Director, may award grants and cash prizes, enter into contracts and cooperative agreements, or conduct any other transaction(s) or agreements as may be necessary, and provide technical assistance.”

Brief context (optional): Create a program for advanced education research and development that will advance education R&D by utilizing the key elements of Advanced Research Projects Agencies: support research based on technical and scientific merit, flexible hiring for program managers, and flexible funding mechanisms including Other Transaction Authorities.

[p. 8, Line Number: 18, Section 103 (15)]

Feedback #2: insert after “trials.” “The term ‘evidence-based’ shall only apply to activities undertaken by the entity established under section 151, the “National Center for Education Evaluation and Evidence Use.” The term ‘scientifically valid research’ shall govern the activities of the National Education Centers.

Brief context (optional): Provide IES with the flexibility to conduct research and development while supporting the dissemination of evidence-based research.