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# The Education Sciences Reform Act (ESRA): A Primer

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## The Education Sciences Reform Act (ESRA): A Primer

This primer summarizes the Education Sciences Reform Act (ESRA), the Educational Technical Assistance Act (ETAA), and the National Assessment of Educational Progress Authorization Act (NAEPAA). The report is organized in a manner that aligns with P.L. 107-279, the law that enacted the three acts.

The ESRA authorizes much of the federal government's efforts to collect statistics and conduct research on the U.S. educational system. Part A of the ESRA establishes the Institute of Education Sciences (IES) as an independent research institute and the National Board of Educational Sciences to advise and approve priorities for data collection and research. Parts B thru E of the ESRA authorize four National Education Centers that carry out the research and data collection duties of IES.

The ETAA authorizes support for technical assistance activities and the development of state systems that integrate student-level data from preschool through postsecondary education and employment. The NAEPAA authorizes support for assessments of the academic achievement of students across the United States.

Although authorities in the acts expired in FY2008, funding has continued through annual appropriations legislation. In FY2023, \$734 million was appropriated to support IES' activities.

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## Introduction

The Education Sciences Reform Act (ESRA, P.L. 107-279) as amended,<sup>1</sup> authorizes much of the federal government’s efforts to collect statistics and conduct research on the U.S. educational system. ESRA-funded activities support numerous nationally representative survey programs and award hundreds of basic and applied research grants each year.

The acronym ESRA is commonly used to refer to the entirety of P.L. 107-279, although technically the ESRA is only Title I of this legislation. Along with the ESRA, P.L. 107-279 enacted two additional acts—the Educational Technical Assistance Act (ETAA, Title II of P.L. 107-279) and the National Assessment of Educational Progress Authorization Act (NAEPAA, Title III of P.L. 107-279).

The ESRA established the Institute of Education Sciences (IES) as an independent research institute housed within the Department of Education (ED). The ESRA also established the National Board of Educational Sciences (NBES), a technical panel composed primarily of researchers, to advise and approve the IES Director’s plan and priorities for data collection and research.

The ESRA authorizes support for three National Education Centers to conduct the work of IES: the National Center for Education Research (NCER), the National Center for Education Statistics (NCES), and the National Center for Education Evaluation and Regional Assistance (NCEE). Subsequently, P.L. 108-446, which reauthorized the Individuals with Disabilities Education Act (IDEA), amended the ESRA by adding a fourth IES center: the National Center for Special Education Research (NCSEER).

The ETAA authorizes a Comprehensive Centers program to make grants to local entities to provide varied technical assistance activities and a Statewide Longitudinal Data Systems (SLDS) program to make grants to states for developing data systems integrating student-level data from preschool through postsecondary education and employment.

The NAEPAA authorizes the NCES Commissioner, in cooperation with the National Assessment Governing Board, to carry out assessments of the academic achievement of students across the United States, which include a national assessment, state assessments, and a long-term trend assessment of reading and mathematics in grades 4, 8, and 12.

This report summarizes the content of each section in the three acts (ESRA, ETAA, and NAEPAA), and thus, is organized in a manner that aligns with P.L. 107-279, as amended. Although authorities in the three laws expired in FY2008, and were extended through FY2009 under the General Education Provisions Act (GEPA), funding has been continued through annual appropriations legislation. In FY2023, \$734 million was appropriated to support IES activities. **Table 1** provides the history of IES appropriations from FY2003 to FY2023.

## P.L. 107-279

The proper citation for the law that authorizes the ESRA, ETAA, and NAEPAA is the Act of November 5, 2002 (P.L. 107-279; 116 Stat. 1940). Titles I, II, and III each have a short title, but the act in its entirety does not.

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<sup>1</sup> Through P.L. 117-286, enacted December 12, 2022.

## Title I—Education Sciences Reform Act

Section 101 provides the short title of Title I of P.L. 107-279 as the Education Sciences Reform Act. Organizationally, the ESRA is comprised of six parts that contain provisions authorizing IES, the NBES, and each of the National Education Centers.

Section 102 of the ESRA provides definitions for a number of terms used in Title I including *applied research, basic research, development, dissemination, field-initiated research, national research and development center, scientifically based research standards, scientifically valid education evaluation, scientifically valid research, and technical assistance*, among others.

### Part A—Institute of Education Sciences

Section 111 establishes IES as a research institute within ED.<sup>2</sup> The mission of IES is to “provide national leadership in expanding fundamental knowledge and understanding of education from early childhood through postsecondary study, in order to provide parents, educators, students, researchers, policymakers, and the general public with reliable information.”<sup>3</sup> This information is to address (1) the condition and progress of education, (2) practices that improve academic achievement, and (3) the effectiveness of federal education and other education programs. IES must carry out its mission by compiling statistics, conducting research and evaluations, and disseminating information in a manner that conforms to high standards of quality and objectivity.

The ESRA organizes IES to consist of the Office of the Director, the NBES, and four research centers:

- NCER,
- NCES,
- NCEE, and
- NCSER.<sup>4</sup>

Section 112 states that IES functions should be carried out directly or through grants, contracts, or cooperative agreements. Section 113 requires the Secretary of Education (hereinafter, “the Secretary”) to delegate to the IES Director (hereinafter, “the Director”) all functions for carrying out Title I with exceptions for the role, responsibilities, and authority of the assessment board established in the NAEPA.

Section 114 indicates that the Director is to be appointed by the President with the advice and consent of the Senate to serve a six-year term and receive the basic pay rate for Level II of the Executive Schedule. The Director is to be selected from individuals with expertise in the fields of research, statistics, or evaluation in education. The Director is to administer, coordinate and approve budgets for IES and the National Education Centers and carry out a variety of duties including the following:

- proposing IES priorities to the NBES;
- ensuring the methodology applied in conducting research, development, evaluation, and statistical analysis is consistent with the standards described in the ESRA;

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<sup>2</sup> IES replaced the Office of Educational Research and Improvement (OERI).

<sup>3</sup> ESRA, §111(b)(1).

<sup>4</sup> NCSER was added by the Individuals with Disabilities Education Act (IDEA; P.L. 108-446) in 2004.

- coordinating research and related activities with ED and other federal agencies;
- advising the Secretary on research, evaluation, and statistics activities within ED;
- establishing procedures for technical and scientific peer review consistent with Section 116(b)(3);
- ensuring research participants are afforded privacy rights and other protections in accordance with Section 183 and other federal privacy laws;
- ensuring IES activities are objective, secular, neutral, nonideological, and free of partisan political influence and racial, cultural, gender, or regional bias;
- increasing participation of researchers and institutions historically underutilized in IES activities;
- coordinating IES research and development activities with the technical assistance activities of the Comprehensive Centers;
- soliciting and considering the recommendations of education stakeholders in the planning and carrying out of IES activities; and
- coordinating the wide dissemination of scientifically valid research.

Section 115 requires the Director to propose IES priorities to the NBES. In doing so, the Director must identify topics focused on particular education problems including those associated with the goals and requirements of the Elementary and Secondary Education Act (ESEA), IDEA, and the Higher Education Act (HEA). Before submitting proposed IES priorities to the NBES, the Director must make such priorities available for public comment for at least 60 days.

Section 116 establishes the NBES and tasks it with advising and consulting with the Director on IES policies and specifies NBES duties including the responsibility to

- consider and approve priorities proposed by the Director;
- review and approve IES procedures for technical and scientific peer review;
- advise the Director on the general areas of research to be carried out by NCER;
- present recommendations for strengthening IES research and funding;
- advise the Director on the funding of applications for grants, contracts, and cooperative agreements for research after the completion of peer review;
- review and regularly evaluate the work of IES;
- ensure that scientifically valid research, development, evaluation, and statistical analysis are consistent with the standards described in the ESRA;
- advise on ensuring IES activities are objective, secular, neutral, nonideological, and free of partisan political influence and racial, cultural, gender, or regional bias;
- solicit advice from education experts to recommend to the Director topics that require long-term, sustained, systematic, programmatic, and integrated research;
- advise the Director on opportunities for the participation and advancement of women, minorities, and persons with disabilities in IES activities;
- recommend to the Director ways to partner and collaborate with federal and state research agencies; and
- recommend to the Director individuals to serve as Commissioners of the National Education Centers.

Section 116 describes the NBES composition and other requirements including member qualifications, voting rights, and term limits as well as authority to establish standing committees. It also specifies the required annual reports that the NBES must submit to the Director, the Secretary, and the appropriate congressional committees.

Section 117 requires that Commissioners for three of the four National Education Centers (NCER, NCEE, and NCSER) be appointed by the Director, while the Commissioner of the fourth center, NCES, is to be appointed by the President. Commissioner terms are not to exceed six years (except that the NCER, NCEE, and NCSER Commissioners may be reappointed by the Director for one additional year).

Section 118 states that IES projects may be carried out with entities such as the National Science Foundation and the National Institute of Child Health and Human Development.

Section 119 requires the Director to publish a biennial report describing activities of the National Education Centers and summarizing grants, contracts, and cooperative agreements larger than \$100,000.

Section 120 indicates that IES grants, contracts, and cooperative agreements should be awarded on a competitive basis when practicable.

## **Part B—National Center for Education Research**

Section 131 establishes NCER as a research center within IES with a mission “to sponsor sustained research that will lead to the accumulation of knowledge and understanding of education” and to support the synthesis and integration of research, promote quality through accepted practices of scientific inquiry, and promote scientifically valid research findings.

Section 132 stipulates that the NCER Commissioner should have substantial knowledge of NCER activities and a high level of expertise in the fields of research and research management.

Section 133 specifies the NCER Commissioner’s duties to include (1) maintaining NCER peer-review processes and standards; (2) proposing research plans to the Director; (3) implementing a plan to carry out scientifically valid research; (4) ensuring that research is relevant to education practice and policy; and (5) synthesizing and disseminating research findings.

The NCER Commissioner is authorized to support not less than eight national research and development centers, which must conduct work on the following topics:

- adult literacy;
- assessment, standards, and accountability research;
- early childhood development and education;
- improving low-achieving schools;
- innovation in education reform;
- state and local policy;
- postsecondary education and training;
- rural education;

- teacher quality; and
- reading and literacy.<sup>5</sup>

Research and development center grants are awarded on a competitive basis for a period of five years and may be extended up to five years (not to exceed ten years).

Section 134 sets out standards for NCER work including peer review requirements for grants and cooperative agreements that exceed \$100,000. This section also requires that not less than 50% of the funds available for research in each fiscal year be used to fund long-term research programs of not less than five years.

## **Part C—National Center for Education Statistics**

Section 151 establishes NCES as a statistics center within IES with a mission “to collect and analyze education information and statistics in a manner that meets the highest methodological standards.”<sup>6</sup> The section further states that NCES is to (1) report education information and statistics in a timely manner; (2) ensure these reports are objective, secular, neutral, nonideological, and free of partisan political influence and bias; and (3) ensure that these reports are relevant and useful to practitioners, researchers, policymakers, and the public.

Section 152 stipulates that the NCES Commissioner should have substantial knowledge of statistical methodologies and NCES activities.

Section 153 states that the NCES Commissioner must collect, report, analyze, and disseminate statistical data related to education at all levels (preschool through postsecondary) in the United States and other nations. The NCES Commissioner must compile data on a state-by-state basis (where appropriate) and is also tasked with data collection on the following topics:

- early childhood readiness;
- student achievement;
- high school completion/dropouts;
- literacy;
- postsecondary opportunity, including financial aid;
- teaching, including training, the workplace, and the supply of and demand for teachers;
- school safety; and
- school revenues and expenditures.

Section 153 requires the NCES Commissioner to cross-tabulate data (to the extent feasible) by gender, race, ethnicity, socioeconomic status, limited English proficiency, mobility, disability, urban, rural, suburban, and other population characteristics. The NCES Commissioner must also assist educational agencies with data collection (including SLDS); determine voluntary standards; and conduct longitudinal and special data collections. This section also authorizes the NCES Commissioner to establish training programs to accomplish its mission.

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<sup>5</sup> More than one topic can be supported by a research and development center, and the Commissioner is authorized to use “other means” to support work on these topics as well.

<sup>6</sup> §151(b).



Section 154 provides the NCES Commissioner authority to award grants and enter into contracts and cooperative agreements to support the execution of its duties that are limited in duration to not more than five years and may be extended for not more than five additional years.

Section 155 requires the NCES Commissioner to establish procedures to ensure reports are high quality, useful to customers, rigorous, timely, and free from political influence.

Section 156 requires NCES to disseminate statistical records to educational agencies and other organizations and compile special data tabulations at the request of congressional committees. This section authorizes NCES to engage in joint statistical projects with nonprofit organizations and share data with other federal agencies.

Section 157 authorizes NCES to establish one or more national cooperative education statistics systems for the purpose of producing and maintaining comparable and uniform information and data across states.

Section 158 defines a *state* for the purposes of Part C to mean “the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.”

## **Part D—National Center for Education Evaluation and Regional Assistance**

Section 171 establishes NCEE to support evaluation, technical assistance, development, and dissemination activities. The mission of NCEE is to provide technical assistance to educational agencies, conduct evaluations of federal education programs, support synthesis and wide dissemination of evaluation results, and encourage the use of scientifically valid education research and evaluation throughout the United States. The NCEE Commissioner is authorized to carry out these duties by awarding grants, contracts, and cooperative agreements and by providing technical assistance.

Section 172 requires NCEE to conduct evaluations, widely disseminate information, describe the scientific evidence to support its findings, and explain the appropriate and inappropriate uses of its findings. NCEE must also support Regional Educational Laboratories (RELs) (see the paragraphs on Section 174 and RELs below), and manage the National Library of Education.<sup>7</sup>

Section 173 specifies a number of requirements for evaluations conducted by NCEE. Among other requirements, NCEE must establish evaluation methodologies. Additionally, NCEE evaluations must adhere to the highest possible standards of quality for conducting scientifically valid education evaluations and are subject to rigorous peer review. NCEE is required to evaluate programs under Title I of the ESEA and review and supplement other federal education program evaluations, particularly those supported or conducted by ED.<sup>8</sup>

Section 174 requires the Director to enter into five-year contracts to establish a network of 10 RELs that serve the needs of children across the United States. RELs are to carry out applied research, development, dissemination, and technical assistance activities to meet the needs of the regions they serve. Funds are allocated to regions according to the number of school-aged

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<sup>7</sup> Among the entities supported through NCEE is the What Works Clearinghouse (WWC), which was designed to serve as a central source of scientific evidence on what works in education, and the Education Resources Information Center (ERIC), an online digital library of educational research and information. For more information, see <http://ies.ed.gov/sites.asp>.

<sup>8</sup> Prior to the establishment of IES, various offices within ED conducted evaluations. Most notably, the Office of Planning, Evaluation, and Policy Development conducted many ED evaluations. ED has been transitioning many evaluation functions to NCEE from other ED offices.

children in geographic areas delineated according to Section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such provision existed prior to the ESRA). Before entering into a contract, the Director must formulate specific objectives and measureable indicators used to assess the performance of the RELs. The NCEE Commissioner must establish a system for technical and peer review to ensure REL products are consistent with the NCER research standards outlined in Section 134 and the NCEE evaluation standards outlined in Section 173.

Section 174 states that the central mission and primary function of RELs is to

- provide training and technical assistance to educational agencies, school boards, and state boards of education on the administration and implementation of the ESEA;
- develop and disseminate scientifically valid research on teaching methods, assessment tools, and curriculum frameworks;
- develop a plan for identifying the region’s particular educational needs (in prekindergarten through grade 16) and carrying out applied research projects that are designed to serve those needs;
- disseminate applied educational research in usable forms;
- collaborate and coordinate services with other technical assistance providers;
- assist in gathering information on school finance systems;
- bring experts together to develop and implement school improvement plans; and
- develop innovative approaches to the application of education technology that are unlikely to originate from within the private sector.

RELs are required to collaborate with the National Education Centers, consult with state and local educational agencies; utilize schools as a component of reform; report on obstacles faced by high poverty, urban, and rural areas; and identify successful educational programs.

Each REL must establish a governing board that reflects a balanced representation of the states in the region and includes chief state school officers as well as other representatives of regional educational entities. These boards are to be the sole entities that guide and direct REL activities, agendas, and priorities.

The NCEE Commissioner must conduct independent evaluations of each of the RELs and provide evaluation results to the relevant congressional committees, the NBES, and the appropriate REL.

Each REL must submit to the NCEE Commissioner an annual report describing its plan for the succeeding year and its effectiveness in the preceding year.

## **Part E—National Center for Special Education Research**

Section 175 establishes NCSER as a research center within IES with a mission to sponsor research to expand knowledge and understanding of the needs of infants, toddlers, and children with disabilities, to sponsor research to improve services provided under IDEA and to support the implementation of IDEA, and to evaluate the implementation of IDEA.<sup>9</sup>

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<sup>9</sup> Title II of the IDEA (P.L. 108-446) amended the ESRA to establish NCSER.

Section 176 stipulates that the NCSER Commissioner should have substantial knowledge of NCSER activities and a high level of expertise in the fields of research, research management, and education of children with disabilities.

Section 177 specifies the duties of NCSER including the responsibility to

- improve services under IDEA;
- identify scientifically based practices that support learning and improve academic achievement of children with disabilities;
- identify scientifically based services and interventions that promote participation and progress of children with disabilities in general education curriculum and settings;
- improve the alignment of state standards and alternate assessments for students with significant cognitive disabilities;
- examine the over-identification and under-identification of children with disabilities and the causes thereof;
- improve preparation of personnel working with children with disabilities;
- examine the excess cost of educating students with disabilities; and
- examine the special needs of limited English proficient children with disabilities.

The NCSER Commissioner must ensure that NCSER activities meet high standards; must propose a research plan to the Director; and is authorized to carry out NCSER duties by awarding grants, contracts, or cooperative agreements to eligible applicants. Research activities at NCSER are to be carried out in accordance with the NCER standards for research and development activities established in Section 134. NCSER is also tasked with synthesizing and disseminating the findings and results of NCSER-funded special education research.<sup>10</sup>

Unlike Parts A through D, Part E has an authorization of appropriations provision, which states that there are to be appropriated such sums as necessary for FY2005 through FY2010.

## **Part F—General Provisions**

Section 181 requires that ED and IES use common sources of data in standardized formats.

Section 182 prohibits the construction of a nationwide database of identifiable information on individuals involved in studies or other collections of data under the ESRA. Paragraph (b) of this section states that an officer or employee of the federal government may not mandate, direct, or control the curriculum, program of instruction, or allocation of state or local resources. In addition, IES may not endorse, approve, or sanction any curriculum and ESRA funds may not be used to develop, pilot test, field test, implement, administer, or distribute any federally sponsored test, except for the international assessments developed under Section 153.

Section 183 contains provisions regarding the confidentiality and security of IES data. In general, all collection, maintenance, use, and dissemination of data by IES must conform to the Privacy Act of 1974 and the Family Educational Rights and Privacy Act (FERPA). The Director must develop and enforce standards designed to protect the confidentiality of individuals. These provisions specify disclosure requirements, penalties for violation of the requirements, and permitted access to any IES reports or records, including individually identifiable information, to

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<sup>10</sup> For more information on the research supported through NCSER education research grants programs, see <https://ies.ed.gov/ncser/projects/2012progs/>.

ED, the Government Accountability Office (GAO), the Congressional Budget Office (CBO), and the Library of Congress. Paragraph (e) of this section outlines procedures for the disclosure of IES data, including individually identifiable information, to the Attorney General for the investigation and prosecution of terrorism.

Section 184 requires IES to make data available to the public, subject to the limitations provided in Section 183.

Section 185 requires IES to prioritize customer service, including facilitating feedback, disseminating data in a timely and efficient manner, and making continuous improvements.

Section 186 gives the Director authority to publish reports and data without approval from ED; however, publications must be subjected to rigorous peer review.

Section 187 states that vacancies at IES as well as the NBES must be filled in the manner in which the original appointment was made, with the exception of appointments made under Section 188.

Section 188 authorizes the Director to staff certain scientific or technical positions without regard to federal rules governing appointment in the competitive service and may compensate such staff without regard to General Schedule pay rates. The Director is limited to 40 such positions.

Section 189 requires the Director to establish and maintain a program of research, evaluation, and statistics fellowships at institutions of higher education.

Section 190 allows the Director to accept voluntary and uncompensated service.

Section 191 exempts IES from certain rulemaking requirements.

Section 192 states that the ESRA should not be construed to affect federal copyright laws.

Section 193 provides for the removal of the Director, members of the NBES, and the Commissioners of the National Education Centers in certain circumstances.

Section 194 specifies authorizations of appropriations for the ESRA. For FY2003, \$400 million was authorized to carry out the activities authorized under the ESRA and such sums as may be necessary for each of the five succeeding fiscal years. Additionally, \$100 million was authorized for the RELs for FY2003 and such sums as may be necessary for each of the five succeeding fiscal years.

## **Title II—Educational Technical Assistance Act**

Section 201 states that Title II of P.L. 107-279 is entitled the Educational Technical Assistance Act of 2002.

Section 202 provides that the terms *local educational agency* and *state educational agency* have the meanings given in the ESEA and the term *Secretary* means the Secretary of Education.

Section 203 authorizes the Secretary to award not less than 20 grants for Comprehensive Centers—grants to local entities, or consortia of such entities, with demonstrated experience in providing technical assistance and professional development. The Secretary is required to distribute awards across 10 geographic regions that coincide with the regions served by RELs. Each Comprehensive Center must allocate resources and serve state and local educational agencies according to the region's needs.

Section 203 authorizes Comprehensive Center activities including, but not limited to, the following:

- providing training, professional development, and technical assistance for the implementation of programs under the ESEA;
- disseminating and providing information, reports, and publications to improve academic achievement and close achievement gaps; and
- developing teacher and school leader in-service and pre-service training models that reflect best practices in the use of technology.

Each Comprehensive Center must coordinate activities with its local REL, NCEE, the Office of the Secretary, the state service agency, and other technical assistance providers. Each center must also establish an advisory board and provide a report annually to the Secretary.

Section 204 requires the Secretary to conduct ongoing independent evaluations of the Comprehensive Centers and provide a report to the appropriate congressional committees and the Director.

Section 205 required the Secretary to continue support for technical assistance awards made under antecedent laws through the end of the terms established in those awards.

Section 206 requires the Secretary to establish regional advisory committees for each REL region. Committees are to have no more than 25 members equally represented across the region. Membership is to include representatives of local educational agencies, institutions of higher education, parents, practitioners, business persons, and researchers. Committees are to advise the Secretary based on assessments of their region's educational needs.

Section 207 requires the Secretary to use the assessments provided in Section 206 to establish priorities for RELs and Comprehensive Centers.

Section 208 authorizes the Secretary to make competitive grants to state educational agencies to design, develop, and implement statewide longitudinal data systems to efficiently and accurately manage and use student data, consistent with the needs of the ESEA. In awarding grants, the Secretary must ensure that applications are of adequate technical quality and address the data uses required by the ESEA, as well as any other reporting requirements related to closing achievement gaps. The Secretary is required to report on the implementation of grants made under this section within one year and three years after enactment of the ETAA.

Section 209 authorizes for FY2003 \$80 million to carry out Title II activities and such sums as may be necessary for each of the five succeeding fiscal years.

## **Title III—National Assessment of Educational Progress Authorization Act**

Section 301 states that Title III of P.L. 107-279 is entitled the National Assessment of Educational Progress Authorization Act (NAEPAA).

Section 302 establishes the National Assessment Governing Board (NAGB) to formulate policy guidelines for the National Assessment authorized under Section 303. Members of the NAGB are appointed by the Secretary and must include the following:

- two state governors, or former state governors, who shall not be members of the same political party;
- two state legislators, who shall not be members of the same political party;
- two chief state school officers;

- one superintendent of a local educational agency;
- one member of a state board of education;
- one member of a local board of education;
- three classroom teachers representing the 4<sup>th</sup>, 8<sup>th</sup>, and 12<sup>th</sup> grades;
- one representative of business or industry;
- two curriculum specialists;
- three testing and measurement experts;
- one nonpublic school administrator or policymaker;
- two school principals, one of an elementary school and one of a secondary school;
- two parents not employed by a local, state, or federal educational agency; and
- two additional members who are representatives of the general public.

The Director serves as an ex officio, non-voting member. Membership should reflect regional, racial, gender, and cultural balance and diversity. Members serve staggered terms of not more than four years. The NAGB selects subject areas to be assessed, sets achievement levels, and develops guidelines for reporting and disseminating results, among other duties.

The NAGB is to be independent of the Secretary and other ED officials and meet with the NCES Commissioner periodically. The Secretary may appoint staff to enable the NAGB to execute its duties.

Section 303 authorizes the NCES Commissioner to conduct the National Assessment of Educational Progress (NAEP), with the advice of the NAGB, through grants, contracts, or cooperative agreements with one or more qualified organizations. The purpose of the NAEP is to provide a fair and accurate measurement of student academic achievement in reading, mathematics, and other subjects. A national assessment is to be conducted every two years in grades four and eight in mathematics and reading. National assessments for grade 12 students are to be conducted “in regularly scheduled intervals.”<sup>11</sup>

State assessments must be conducted biennially of student achievement in reading and mathematics in grades four and eight, while state assessments for grade 12 are optional. States must enter into an agreement with the Secretary on implementation of the assessments and give permission for results to be released to the public.

Section 304 states the term *Director* to be the Director of IES and *state* to mean the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico.

Section 305 authorizes for FY2003 \$4.6 million to carry out activities related to the NAGB and \$107.5 million to carry out activities related to the NAEP, and such sums as may be necessary for each of the five succeeding fiscal years.

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<sup>11</sup> §303(b)(2)(C).

**Table I. Institute of Education Sciences Appropriations, FY2003-FY2023**  
(dollars in thousands)

FY	R&D and RELs	Statistics	Assessment	NCSER	SLDS	IDEA Evaluation	IES Total
2003	\$206,151	\$89,415	\$94,767	\$76,713	\$0	\$16,000	\$483,046
2004	232,183	91,664	94,763	78,125	0	16,000	512,735
2005	230,325	90,931	94,073	83,104	0	0	498,433
2006	228,022	90,022	93,132	71,840	24,800	9,900	517,716
2007	228,022	90,022	93,149	71,840	24,552	9,900	517,485
2008	225,265	88,449	104,053	70,585	48,293	9,460	546,105
2009	234,765	98,521	138,844	70,585	65,000	9,460	617,175
2010	270,846	108,521	138,844	71,085	58,250	11,460	659,006
2011	257,331	108,304	138,567	50,983	42,166	11,437	608,788
2012	247,213	108,748	138,306	49,905	38,077	11,415	593,664
2013	234,283	103,060	131,071	47,295	36,085	10,818	562,612
2014	234,283	103,060	140,235	54,000	34,539	10,818	576,935
2015	234,283	103,060	137,235	54,000	34,539	10,818	573,935
2016	249,423	112,000	157,235	54,000	34,539	10,818	618,015
2017	241,923	109,500	156,745	54,000	32,281	10,818	605,267
2018	248,118	109,500	156,745	56,000	32,281	10,818	613,462
2019	248,118	109,500	158,745	56,000	32,281	10,818	615,462
2020	251,899	110,500	160,745	56,500	33,000	10,818	623,462
2021	254,899	111,500	172,745	58,500	33,500	11,318	642,462
2022	263,610	111,500	187,745	60,255	33,500	13,318	669,928
2023	303,733	121,500	192,799	64,255	38,500	13,318	734,105

**Source:** U.S. Department of Education, Budget Service, Budget History table, <https://www2.ed.gov/about/overview/budget/history/index.html>; and FY2024 Budget Request, <https://www2.ed.gov/about/overview/budget/budget24/24pbapt.pdf>.

**Notes:** The Comprehensive Centers program is not funded through the IES appropriation; rather, this program is appropriated funds under the “school improvement programs” account. For FY2023, the Consolidated Appropriations Act, 2023 (P.L. 117-328) provided \$55 million for the Comprehensive Centers program. For certain years, supplemental appropriations that are not reflected in this table have been appropriated for targeted purposes. For instance, for FY2009 the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) provided an additional \$250 million for SLDS. For FY2021, the Consolidated Appropriations Act, 2021 (P.L. 116-260) provided an additional \$28 million for the NAEP. For FY2021, the American Rescue Plan Act of 2021 (P.L. 117-2) provided an additional \$100 million for research on learning loss due to the COVID-19 pandemic.

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