

## **Statutory Authorizations for the Cancelled IES Contracts, OESE Grants, and Impact of the Cancellations**

*Note: This analysis is based on the best information available from the U.S. Department of Education as of February 28, 2025*

### **1. Comprehensive Centers**

**What the statute requires:** Section 203 of the Educational Technical Assistance Act of 2002 (ETAA) authorizes that the Department of Education (ED or the Department) to award not less than 20 grants to entities with demonstrated expertise in providing technical assistance and professional development in reading, mathematics, science, and technology, especially to low-performing schools and districts, to establish Comprehensive Centers (CCs). The Congress has annually appropriated specific funding (that is, a line-item appropriation) for the CCs; the current appropriation is \$50 million.

Throughout its history, the CCs program has supported a mix of regional centers that address the specific needs of the States in their regions, content centers that provide technical assistance in specific content areas, and a national center that coordinates the efforts of the network. In October 2024, the Department awarded a new cycle of grants for the CCs.

**What was cancelled:** The Department of Government Efficiency (DOGE) cancelled the five-year grants to the CCs which included 13 regional centers and four content centers, along with a national center. These grants were awarded in October 2024.

**Impact of the cancellations:** The CCs provide critical support to the State educational agencies (SEAs), local educational agencies (LEAs); and schools to improve education opportunities and outcomes, close achievement gaps, and improve the quality of instruction for all students, particularly for groups of students with the greatest need. The CCs are highly responsive to the needs of the States; each CC receives guidance from an advisory board that includes the chief State school officer from each of the States in the region, representatives from institutions of higher education, parents, teachers, local business leaders, and policy makers.

With the cancellation of the grants, this source of expertise and support is now lost, at least until such time as the Department carries out and completes a recompetition. Because the fiscal year 2025 appropriation for the CCs will expire on September 30, ED has only seven months to complete that process. If the new awards are not made by that date, the Department will have illegally impounded the CC appropriation.

Under the Administrative Procedure Act, Federal agencies must publish for public comment (generally for at least a month), any new priorities or requirements for a competitive grant program. After taking public comments, ED will be required to respond to the comments, prepare and publish a notice inviting applications, give applicants time to develop and submit

applications (typically 45-60 days), and then peer-review the applications and make awards. This will be difficult to do in the amount of time available. In addition, the law authorizing the CCs has a unique requirement: that ED, before launching a CCs competition, first create Regional Advisory Committees (RACs) and then give those committees up to six months to evaluate and report on the needs of their respective regions. The Department must then consider the reports from the RACs when it prepares for the competition. It seems highly unlikely that ED could abide by this requirement of the law and still make new grants by September 30.

Even if ED does make new grants before the appropriation expires, the cancellations will impede educational progress at least until the new agreements are in place and activities are once again underway. At the time of the cancellations, SEAs and LEAs had only recently identified their most urgent technical assistance priorities, with projects set to launch in February. For example, the Region 6 CC, which serves Florida, Alabama and Mississippi, was preparing to support Alabama's implementation of the Alabama Numeracy Act (the State's math education reform initiative), Mississippi's effort to train educators on evidence-based methods of improving educational outcomes for English learners and students with disabilities, and a Florida initiative to increase teacher retention. In each case, the CC was preparing to address the highest-priority needs of the States, in its region, as identified by the State chief. With the grants now cancelled, the three States will have to go forward without receiving critical training and other support.

## **2. Regional Educational Laboratories**

**What the statute requires:** Section 174 of the Education Sciences Reform Act of 2002 (ESRA) requires that the Director of the Institute of Education Sciences (IES) enter into five-year contracts to establish and maintain a networked system of 10 Regional Educational Laboratories (RELs) to carry out applied research and technical assistance activities in their respective regions. The Congress has annually appropriated specific funding (that is, a line-item appropriation) for the RELs; the current appropriation is approximately \$53.7 million.

**What was cancelled:** DOGE cancelled the five-year contracts for all 10 RELs.

**Impact of the cancellations:** The RELs provide critical support to the States in their regions in improving student academic achievement and other student outcomes. The RELs are highly responsive to the needs of the States; each REL's activities are overseen by a governing board that includes the chief State school officer from each of the States in the region.

With the cancellation of the contracts, and at a time when school systems are still working to overcome the learning loss resulting from the COVID-19 pandemic, this source of expertise and support is now lost, at least until such time as IES carries out and completes a recompetition. A new competition will likely take a lengthy period of time. Typically, the process of developing a Request for Proposals, vetting it through U.S. Department of Education (ED) review processes, launching the competition and giving offerors time to develop and submit proposals, peer-

reviewing the proposals, hammering out the final contract details and awarding a contract takes several months. In the current environment, it could take even longer: the Federal government is facing a possible shutdown, and staff who would be part of the process could leave the agency because of the “fork in the road” offer, a reduction in force or the removal of provisional and temporary employees. If there is no recompetition and the funds are allowed to lapse, IES will have illegally impounded the money.

Even if IES does enter into a new set of contracts before the appropriation expires, the cancellations will impede educational progress at least until the new contracts are in place and activities are once again underway. The benefits of a large number of projects that were underway at the time of the cancellations, at the specific request of a district, will now be lost forever, because the district will have to move along (for instance with the implementation of a new curriculum) without the benefit of a REL’s training or technical assistance materials. And many locally developed REL projects were in the pipeline but now will not be completed; cancellation of the REL contracts did not reduce government waste, it created it, because the costs incurred for those projects will not be recovered.

### **3. The Condition of Education**

**What the statute requires:** Section 155(b) of ESRA requires the National Center for Education Sciences (NCES) to produce an annual statistical report on the condition and progress of education in the United States.

**What was cancelled:** The DOGE has cancelled the contracts for collection for a significant portion of the data that are used for the “Condition of Education” report and for production of the report itself.

**Impact of the cancellations:** Not only will NCES not be able to publish the report (in violation of the Congressional mandate), but the termination of this publication will deprive policy-makers and the public of critical, easily accessible information on the status and progress of education at all levels. Recent editions of The Condition of Education have presented data on such issues and topics as enrollments, student assessment results, graduation and dropout rates, student outcomes after leaving school or college and comparison of the educational achievement of U.S. students with the achievement of students in other countries.

NCES has published The Condition of Education every year since 1975. The cancellation of the contracts will result in at least a one-year gap in public access to an important source of information on education.

### **4. NCES Data Collections**

**What the statute requires:** ESRA Section 153 mandates that NCES collect, report, analyze and disseminate data related to education in the United States and other nations and lists

topical areas on which those data collection, reporting, analysis and dissemination activities are to be carried out.

**What was cancelled:** The DOGE cancelled data collection, analysis and reporting contracts that tie directly to the duties NCES is mandated to carry out under Section 153. Examples:

- The statute requires that NCES collect, acquire, compile and disseminate full and complete statistics on education at the preschool, secondary, postsecondary and adult levels. For K-12 education, NCES has long operationalized this mandate through a data collection called the Common Core of Data (CCD). The DOGE has terminated the contracts for collection of the non-financial elements of the CCD.
- The statute requires NCES to acquire and disseminate data on educational activities and student achievement in the United States compared to foreign nations. The DOGE cancelled the contracts for the Trends in International Math and Science Study (TIMSS), Teaching and Learning International Survey (TALIS) and other international surveys and analyses.
- The statute mandates that NCES conduct longitudinal data collections. The DOGE cancelled the contracts for NCES's longitudinal work, specifically the High School and Beyond Survey and the Early Childhood Longitudinal Study.
- The statute requires that NCES collect and report data on financial aid to postsecondary students. The DOGE cancelled the National Postsecondary Student Aid Study (NPSAS).
- The statute requires that NCES collect and report data on the experiences of teachers. The DOGE has cancelled the contract for the Teaching and Learning International Survey (TALIS), which compares the working experiences of U.S. teachers with those in other countries.

**Impact of the cancellations:** These and other surveys are not duplicative of other available information. They provide the *only* national data sets on key educational indicators. Educators, parents, policy-makers, school and district leaders, researchers and others seeking to improve U.S. education (or use the data for other purposes, such as realtors who make use of the NCES data assembled by Greatschools.org) will have no other sources of data to draw on in many important areas, including reading, math and other STEM subjects, the performance of U.S. students compared to students in other countries, and the impact of college student assistance programs.

## 5. What Works Clearinghouse

**What the statute requires:** ESRA Section 131 calls on IES to “promote scientifically valid research findings that can provide the basis for improving academic instruction and lifelong learning.” Under Republican leadership, IES operationalized this requirement through creation and maintenance of the What Works Clearinghouse (WWC), which identifies educational programs, practices, and interventions that have demonstrated a high standard of evidence of effectiveness and thus can be used by educators across the country with confidence that they will be effective in raising achievement or achieving other desired outcomes.

**What was cancelled:** The DOGE has cancelled all contracts related to continuing the WWC.

**Impact of the cancellations:** Without the WWC, there will be no reliable, unbiased source of information on what works in education. Educators will have to make judgments based on the information provided by curriculum and program developers, which is generally focused on marketing rather than objective evaluation, or they will have to rely on anecdotes and other incomplete information. There is no substitute for the WWC.

## **6. Evaluations**

**What the statute requires:** ESRA Section 173 requires IES to evaluate the success of Title I and other ED programs.

**What was cancelled:** The DOGE appears to have terminated all of the IES evaluations that were underway, including studies of the DC Scholarship Opportunities program, GEAR-UP, dual-enrollment programs, the Teacher and School Leader Incentives program and ESEA Titles I, II, III and IV.

**Impact of the cancellations:** The DOGE has wasted the investment in this evaluation work. Studies well underway, or even nearing completion, are now terminated, and policy-makers and others will never receive the information needed to improve programs and to identify those educational activities that should be expanded and those that should be curtailed. Under the guise of promoting efficiency and reducing waste, the DOGE has squandered this investment.

## **7. National Assessment of Educational Progress**

**What the statute requires:** Section 303 of the National Assessment of Educational Progress (NAEP) Authorization Act requires NCES to ensure that NAEP data are reported and made available on a timely basis following official reporting, in a manner that facilitates further research.

**What was cancelled:** While the contracts for operation of the NAEP assessments do not seem to have been affected, the contracts for NAEP dissemination have been cancelled. In addition, the cancellation of the Common Core of Data contract, described above, deprives ED of the data used to establish the sampling frame for NAEP.

**Impact of the cancellations:** It is not clear that the public will receive timely and user-friendly information on the next NAEP results. NAEP, often known as the “Nation’s Report Card,” assesses 4<sup>th</sup>, 8<sup>th</sup> and 12<sup>th</sup> grade students in reading, math and other subjects and is the only consistent, reliable source of data on educational achievement in the Nation, the States, and major cities. Just a few weeks ago, when NCES released its presentation of the 2024 NAEP results (as prepared through these contracts), we saw how important this information is for identifying the unacceptable levels of student performance in reading and math, for understanding the differences in achievement levels across States and for highlighting the successes of States that have bucked the overall trend and made significant progress

## **8. Peer Review**

**What the statute requires:** ESRA Section 120 requires that IES award its grants, contracts and cooperative agreements competitively and through a peer review process.

**What was cancelled:** The DOGE has cancelled the contracts that support and enable IES’s peer reviews.

**Impact of the cancellations:** It is not clear how IES will carry out peer reviews without these contracts in place. It is possible that the intent is to make awards (on a political or ideological basis) without regard to merit as determined through peer review. Peer review helps ensure that research, evaluations and other activities are of high quality and, thus, at little cost ensures the value, quality and cost-effectiveness of IES’s programs, surveys and products. No other system for disbursing IES competitive funding would do the same thing.