

HR 3801

To provide for improvement of Federal education research, statistics, evaluation, information, and dissemination, and for other purposes.

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Education

**Introduced:** Feb 27, 2002

**Current Status:** Became Public Law No: 107-279.

**Latest Action:** Became Public Law No: 107-279. (Nov 5, 2002)

**Law:** 107-279 (Enacted Nov 5, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/3801>

Sponsor

**Name:** Rep. Castle, Michael N. [R-DE-At Large]

**Party:** Republican • **State:** DE • **Chamber:** House

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Biggert, Judy [R-IL-13]	R · IL		Feb 27, 2002
Rep. Boehner, John A. [R-OH-8]	R · OH		Feb 27, 2002
Rep. Fletcher, Ernie [R-KY-6]	R · KY		Feb 27, 2002
Rep. Keller, Ric [R-FL-8]	R · FL		Feb 27, 2002
Rep. Tancredo, Thomas G. [R-CO-6]	R · CO		Feb 27, 2002
Rep. Upton, Fred [R-MI-6]	R · MI		Feb 27, 2002

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported by	Mar 13, 2002
Health, Education, Labor, and Pensions Committee	Senate	Discharged From	Oct 15, 2002

Subjects & Policy Tags

**Policy Area:**

Education

Related Bills

Bill	Relationship	Last Action
107 S 2969	Related bill	<b>Nov 12, 2002:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 750.
107 HR 5598	Related bill	<b>Oct 15, 2002:</b> Received in the Senate.
107 HR 5585	Related bill	<b>Oct 9, 2002:</b> Referred to the House Committee on Education and the Workforce.

**Title I: Education Sciences Reform** - Education Sciences Reform Act of 2002 - **Part A: The Institute of Education Sciences** - (Sec. 111) Establishes in the Department of Education the Institute of Education Sciences, consisting of: (1) an Office of the Director; (2) a National Board for Education Sciences; and (3) the National Education Centers, including ones for Education Research, Education Statistics, and Education Evaluation, with their respective Commissioners to be appointed by the Institute Director. (The Institute replaces and reconstitutes the Office of Educational Resources and Information.)

(Sec. 118) Authorizes the Institute to make agreements carry out research projects of common interest with entities such as the National Science Foundation and the National Institute of Child Health and Human Development.

(Sec. 120) Requires grants, contracts, or cooperative agreements for activities under this Act to be awarded on a competitive basis, at a minimum, and, when practicable, through a peer review process.

**Part B: National Center for Education Research** - (Sec. 131) Establishes in the Institute a National Center for Education Research, headed by a Research Commissioner.

(Sec. 133) Requires the Research Center to: (1) maintain published peer-review standards and standards for conduct and evaluation of all research and development carried out under Center auspices; (2) propose to the Director a research plan; (3) carry out specific, long-term research activities consistent with Institute priorities and mission; (4) implement the plan to carry out scientifically valid research that uses objective and measurable indicators to assess progress and results, meets certain peer review procedures standards of research, and includes both basic research and applied research; (5) promote the use of scientifically valid research within the Federal Government, including active participation in interagency research initiatives; (6) ensure that research conducted by the Center is relevant to education practice and policy; (7) synthesize and disseminate the findings and results of research conducted or supported by the Center; and (8) assist the Director in preparing the biennial report.

Directs the Center to carry out research on: (1) successful State and local education reform activities, including increasing student achievement; (2) impacts and uses of technology in education; and (3) improved methods of mathematics and science teaching for use in elementary and secondary classrooms, including in low-performing schools, to meet ESEA requirements.

Directs the Research Commissioner to support at least eight national research and development centers. Requires support of research in: (1) adult literacy; (2) assessment, standards, and accountability research; (3) early childhood development and education; (4) English language learners; (5) improvement of low-achieving schools; (6) innovation in education reform; (7) State and local policy; (8) postsecondary education and training; (9) rural education; (10) teacher quality; and (11) reading and literacy.

(Sec. 134) Directs the Research Commissioner to ensure that Center research meets certain guidelines, and review and develop other necessary research standards. Requires the Director to establish a peer review system for evaluating applications for grants and contracts exceeding a specified amount, and the research products of the recipients. Directs the Commissioner to develop procedures for evaluating applications for research grants and contracts and recipient performance.

Requires the Commissioner to ensure that at least 50 percent of funds made available for research for each fiscal year be used for long-term research programs of at least five years.

**Part C: National Education Center for Education Statistics** - (Sec. 151) Establishes in the Institute a National Center for Education Statistics, headed by a Statistics Commissioner.

(Sec. 153) Requires the Statistics Center to collect, report, analyze, and disseminate statistical data related to education in the United States and in other nations, including specified types of data.

Authorizes the Statistics Commissioner to establish: (1) a training program for employees of public and private educational agencies, organizations, and institutions in the use of standard statistical procedures and concepts; and (2) a fellowship program to appoint such employees as temporary fellows to assist the Statistics Center.

(Sec. 157) Authorizes the Statistics Center to establish one or more national cooperative education statistics systems to produce and maintain, with the cooperation of the States, comparable and uniform information and data on early childhood education, elementary and secondary education, postsecondary education, adult education, and libraries that are useful for policymaking at the Federal, State, and local levels.

**Part D: National Center for Education Evaluation and Regional Assistance** - (Sec. 171) Establishes in the Institute a National Center for Education Evaluation and Regional Assistance (EERA), headed by an EERA Commissioner.

(Sec. 172) Sets forth the duties of the EERA Commissioner. Requires the Director to continue, for their duration, current awards for the support of the Educational Resources Information Center (ERIC) Clearinghouses and contracts for regional educational laboratories.

Establishes within the EERA Center the National Library of Education.

(Sec. 173) Requires the Director, through the EERA Commissioner, to: (1) conduct or support evaluations consistent with the Center's mission; (2) evaluate programs under title I of the Elementary and Secondary Education Act of 1965 (ESEA) (and administer all operations and contracts associated with evaluations authorized by part E of title I of ESEA); (3) coordinate Center activities with other evaluation activities in the Department; and (4) review and supplement Federal education program evaluations.

(Sec. 174) Requires the Director to make contracts with regional entities to establish a networked system of ten regional educational laboratories for applied research, development, dissemination, and technical assistance to other appropriate entities in: (1) the core academic areas of reading, mathematics, and science; (2) English language acquisition; (3) education technology; and (4) replicating and adapting promising educational methods and practices. Requires the same ten geographical regions as served by the regional educational laboratories to be served under this part. Directs the EERA Commissioner to coordinate activities among the regions. Includes collaboration with the National Education Centers among required activities of regional educational laboratories.

**Part E: General Provisions** - (Sec. 181) Sets forth general provisions relating to title I of this Act, including definitions, interagency data sources and formats, prohibitions, confidentiality, availability of data, performance management, authority to publish, Board vacancies, scientific or technical employees, voluntary service, fellowships, rulemaking, authorization of appropriations.

(Sec. 183) Prohibits construing anything in this title to authorize: (1) the development of a nationwide database of individually identifiable information on individuals involved in studies or other collections of data under this title; (2) a Federal officer or employee to mandate, direct, or control the curriculum, program of instruction, or allocation of State or local resources of a State, local educational agency, or school, or to mandate a State or local government to spend any

funds or incur any costs not provided for under this title.

Prohibits the use of any funds provided under this title: (1) by the Institute (or any of its offices, boards, committees, or centers) to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school; or (2) by the Secretary or any award recipient to develop, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, with specified exceptions.

(Sec. 192) Provides that nothing in this Act shall be construed to affect the rights, remedies, limitations, or defense under Federal copyright law.

(Sec. 193) Authorizes the President to remove the Institute Director, each member of the Institute Board, and the Commissioner for Education Statistics prior to the expiration of their appointed terms. Authorizes the Institute Director to remove each of the Commissioners of the respective Centers prior to the expiration of their appointed terms.

**Title II: Educational Technical Assistance** - Educational Technical Assistance Act of 2002 - (Sec. 203) Provides for comprehensive centers for technical assistance and professional development in education.

Authorizes the Secretary to award at least 20 grants to local entities or consortia to establish comprehensive centers to provide technical assistance and professional development in reading, mathematics, science, and technology, especially to low-performing schools and districts. Directs the Secretary, in awarding such grants, to ensure that at least one such center is established in each of the ten regions served by the current regional educational laboratories.

(Sec. 204) Directs the Secretary to provide for ongoing independent evaluations by the EERA Center of the comprehensive centers receiving assistance under this title, and transmit the results to the appropriate congressional committees and the Director.

(Sec. 205) Directs the Secretary, until the comprehensive centers are established, to continue awards for the support of the Eisenhower Regional Mathematics and Science Education Consortia, the Regional Technology in Education Consortia, and the Comprehensive Regional Assistance Centers.

(Sec. 206) Sets forth provisions for regional advisory committees and assessments.

(Sec. 207) Directs the Secretary to establish priorities for the regional educational laboratories and comprehensive centers, taking into account the regional assessments and other relevant regional surveys of educational needs.

(Sec. 208) Authorizes the Secretary to make competitive grants to State educational agencies for statewide, longitudinal data systems for using individual student data, consistent with ESEA.

**Title III: National Assessment of Educational Progress** - National Assessment of Educational Progress Authorization Act - (Sec. 303) Authorizes appropriations for FY 2003 through 2008 for: (1) the National Assessment Governing Board; and (2) the National Assessment of Educational Progress.

**Title IV: Amendatory Provisions** - (Sec. 401) Redesignates and transfers to this Act confidentiality protections from the National Education Statistics Act of 1994 (which are currently applicable only to the National Center for Education Statistics) in a revised form to cover all individually identifiable information that has been collected or retained under this Act. Transfers from such Act to this Act provisions relating to the National Assessment Governing Board and the National Assessment of Educational Progress.

(Sec. 402) Amends the Department of Education Organization Act to provide for the Institute of Educational Sciences and its Director.

(Sec. 403) Repeals: (1) the National Education Statistics Act of 1994 (title IV of the Improving America's Schools Act of 1994); (2) parts A through E and K through N of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (title IX of the Goals 2000: Educate America Act); and (3) specified provisions under the Department of Education Organization Act.

(Sec. 406) Amends ESEA to revise impact aid provisions for certain heavily impacted local educational agencies (LEAs), under the program of payments for eligible federally connected children. Requires that procedures under specified Federal regulations be applied in determining whether an LEA with an enrollment of less than 350 students has a per-pupil expenditure that is less than the average per-pupil expenditure of a comparable LEA in the same State.

Directs the Secretary to deem the LEA serving the Bonesteel-Fairfax school district, 26-5, in Bonesteel, South Dakota, to be eligible in FY 2003 for a basic support payment for heavily impacted LEAs.

Requires an application filed by Central School District, Sequoyah County, Oklahoma, for such a payment for federally connected students for FY 2003, to be treated as timely and processed by the Secretary if it is received within 30 days after enactment of this Act.

## Actions Timeline

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- **Nov 5, 2002:** Signed by President.
- **Nov 5, 2002:** Signed by President.
- **Nov 5, 2002:** Became Public Law No: 107-279.
- **Nov 5, 2002:** Became Public Law No: 107-279.
- **Oct 25, 2002:** Presented to President.
- **Oct 25, 2002:** Presented to President.
- **Oct 16, 2002:** Message on Senate action sent to the House.
- **Oct 16, 2002:** Mr. Arney asked unanimous consent that the House agree to the Senate amendment.
- **Oct 16, 2002:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to without objection.(consideration: CR H7964-8009; text as House agreed to Senate amendments: CR H7984-7997)
- **Oct 16, 2002:** On motion that the House agree to the Senate amendment Agreed to without objection. (consideration: CR H7964-8009; text as House agreed to Senate amendments: CR H7984-7997)
- **Oct 16, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 15, 2002:** Senate Committee on Health, Education, Labor, and Pensions discharged by Unanimous Consent.
- **Oct 15, 2002:** Senate Committee on Health, Education, Labor, and Pensions discharged by Unanimous Consent.
- **Oct 15, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S10480-10481)
- **Oct 15, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Oct 15, 2002:** Passed Senate with an amendment by Unanimous Consent.
- **May 9, 2002:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **Apr 30, 2002:** Mr. Castle moved to suspend the rules and pass the bill, as amended.
- **Apr 30, 2002:** Considered under suspension of the rules.
- **Apr 30, 2002:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3801.
- **Apr 30, 2002:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H1729-1739)
- **Apr 30, 2002:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H1729-1739)
- **Apr 30, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 30, 2002:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3801.
- **Apr 11, 2002:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 107-404.
- **Apr 11, 2002:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 107-404.
- **Apr 11, 2002:** Placed on the Union Calendar, Calendar No. 239.
- **Mar 20, 2002:** Committee Consideration and Mark-up Session Held.
- **Mar 20, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 13, 2002:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 13, 2002:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Mar 11, 2002:** Referred to the Subcommittee on Education Reform.
- **Feb 27, 2002:** Introduced in House
- **Feb 27, 2002:** Introduced in House
- **Feb 27, 2002:** Referred to the House Committee on Education and the Workforce.