

**Amendment Offered by Mr. Keller
to the Amendment in the Nature of a
Substitute to H.R. 3801 Offered by Mr.
Castle**

Page 5, strike lines 5 through 8 and insert the following:

- 1 (a) DELEGATION OF AUTHORITY.—Notwithstanding
2 section 412 of the Department of Education Organization
3 Act (20 U.S.C. 3472), the Secretary shall delegate to the
4 Director all functions for carrying out this title (other
5 than administrative and support functions), except that—
6 (1) nothing in this title may be construed to
7 alter or diminish the role, responsibilities, or author-
8 ity of the National Assessment Governing Board to
9 set policy, procedures, and guidelines for the Na-
10 tional Assessment of Educational Progress; and
11 (2) members of the National Assessment Gov-
12 erning Board shall continue to be appointed by the
13 Secretary.

Page 6, after line 11, insert the following:



1 (3) SUBSEQUENT DIRECTORS.—The Board may
2 make recommendations to the President with respect
3 to the appointment of a Director, except in such
4 cases as described in paragraph (2).

Page 9, line 2, insert “The Director shall ensure that reviewers are exceptionally qualified and capable to appraise educational research and development projects.” after “group.”.

Page 9, strike lines 6 through 12 and insert the following:

5 (a) PROPOSAL.—The Director shall propose to the
6 Board priorities for the Academy identifying topics that
7 may require long-term research and topics that are fo-
8 cused on understanding and solving particular education
9 problems and issues, including those associated with the
10 goals and requirements established in the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C. 6301 et
12 seq.), such as—

13 (1) closing the achievement gap between high
14 and low performing children, especially achievement
15 gaps between minority and nonminority children and
16 between disadvantaged children and their more ad-
17 vantaged peers; and



1 (2) ensuring that all children reach, at a min-
2 imum, proficiency on challenging State academic
3 achievement standards and assessments.

Page 9, beginning on line 21, strike “Such ap-
proved” and all that follows through “congressional com-
mittees.”.

Page 13, strike lines 3 through 14 and insert the
following (and make such conforming and technical
changes are appropriate):

4 (3) APPOINTED MEMBERSHIP.—

5 (A) QUALIFICATIONS.—Members ap-
6 pointed under paragraph (1) shall be exception-
7 ally qualified to appraise educational research,
8 statistics, evaluations, or development, and shall
9 include individuals from each of the following
10 groups:

11 (i) Educators, including classroom
12 teachers, principals, and other school ad-
13 ministrators.

14 (ii) Parents.

15 (iii) Business leaders.

16 (iv) Experts and scientists in re-
17 search, statistics, evaluation or develop-
18 ment, who are recognized in their dis-



1 discipline as highly qualified to represent such
2 discipline.

3 (B) SPECIAL RULE.—A majority of mem-
4 bers of the Board must be appointed from the
5 groups described in clauses (i) and (iv) of sub-
6 paragraph (A).

Page 15, strike lines 1 through 3 and insert the fol-
lowing:

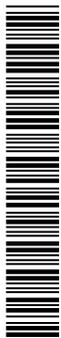
7 (7) POWERS OF THE BOARD.—

8 (A) EXECUTIVE DIRECTOR.—The Board
9 shall have an Executive Director who shall be
10 appointed by the Board.

11 (B) ADDITIONAL STAFF.—The Board shall
12 utilize such additional staff as may be ap-
13 pointed or assigned by the Director, in con-
14 sultation with the Chair.

15 (C) DETAIL OF STAFF PERSONNEL.—The
16 Board may arrange for the detail of staff per-
17 sonnel and use the services and facilities of any
18 department or agency of the Federal Govern-
19 ment.

20 (D) CONTRACTS.—The Board may enter
21 into contracts or make other arrangements as
22 may be necessary to carry out its functions.



1 (E) INFORMATION.—The Board may, to
2 the extent otherwise permitted by law, obtain
3 directly from any Executive department or
4 agency of the Federal Government such infor-
5 mation as the Board deems necessary to carry
6 out its functions.

Page 16, strike lines 1 through 3 and insert the fol-
lowing:

7 (A) shall include, as appropriate, experts
8 and scientists in research, statistics, evaluation,
9 or development who are recognized in their dis-
10 cipline as highly qualified to represent such dis-
11 cipline;

Page 18, line 3, after the period, insert the fol-
lowing: “The Director may appoint a Commissioner to
carry out the functions of a National Education Center
without regard to the provisions of title 5, United States
Code, governing appointments in the competitive service,
and the provisions of chapter 51 and subchapter III of
chapter 53 of such title relating to classification and
General Schedule pay rates.”.

Page 18, line 11, after the period, insert the fol-
lowing: “A Commissioner may serve after the expiration



of that Commissioner's term until a successor has been appointed by the Director."

Page 18, line 14, strike "Knowledge Utilization Office" and insert "Office of Educational Resources and Dissemination" (and make such technical and conforming changes as may be appropriate).

Page 18, line 18, strike "research" and insert "research, statistics, and evaluation".

Page 18, line 20, after "relating to", insert ", at a minimum".

Page 19, line 12, after "researchers," insert "public and private entities,".

Page 19, line 19, after "manner", insert ", including the most current research findings".

Page 20—

- (1) line 5, strike "and";
- (2) line 10, strike the period and insert "; and"; and
- (3) after line 10, insert the following:



1 (4) respond, as appropriate, to inquiries from
2 schools, educators, parents, administrators, policy-
3 makers, researchers, public and private entities, and
4 entities responsible for carrying out technical assist-
5 ance.

Page 20, strike lines 11 through 20 and insert the following:

6 (d) NATIONAL LIBRARY OF EDUCATION.—There is
7 established within the Office of Educational Resources
8 and Dissemination a National Library of Education that
9 shall be headed by an individual who is highly qualified
10 in library science and shall collect and archive information,
11 including products and publications developed through, or
12 supported by, the Academy, and other relevant and useful
13 education-related research, statistics, and evaluation and
14 other information, projects, and publications that are con-
15 sistent with scientifically valid research or the priorities
16 and mission of the Academy and are developed by the De-
17 partment, other Federal agencies, or entities (including
18 entities supported under the Regional Educational Tech-
19 nical Assistance Act).

Page 21, strike lines 7 through 19 and insert the following:



1 (b) MISSION.—The mission of the Research Center
2 is—

3 (1) to sponsor sustained research that will lead
4 to the accumulation of knowledge and understanding
5 of education, particularly to improve student aca-
6 demic achievement and close the achievement gap
7 between high and low performing students, including
8 through the improvement of teaching and learning of
9 reading, writing, mathematics, science, and other
10 academic subjects;

11 (2) to support the synthesis and, as appro-
12 priate, the integration of education research;

13 (3) to promote quality and integrity through
14 the use of accepted practices of scientific inquiry to
15 obtain knowledge and understanding of the validity
16 of education theories, practices, or conditions; and

17 (4) to promote scientifically valid research find-
18 ings that can provide the basis for improving aca-
19 demic instruction and lifelong learning.

Page 22, line 15, strike “or” and insert “of”.

Page 24, strike line 16 and all that follows through
page 25, line 2, and insert the following:

20 (c) EVALUATIVE SUMMARIES OF RESEARCH PRIOR-
21 ITIES.—In addition to the duties described in subsection



1 (a), the Research Center shall oversee and support the
2 conduct of evaluative summaries of the education priority
3 areas of each of the research and development centers
4 under section 931(c)(1)(B) of the Education Research,
5 Development, Dissemination, and Improvement Act of
6 1994 (20 U.S.C. 6031(c)(1)(C)) (as such provision existed
7 on the day before the date of enactment of this title). Such
8 summaries—

9 (1) shall be completed not later than 1 year
10 after the date of enactment of this title; and

11 (2) shall be submitted to the Director, the Re-
12 search Commissioner, and the Board to provide as-
13 sistance on developing and implementing the re-
14 search plan described in subsection (a)(2).

Page 26, strike line 4 through page 27, line 2, and
insert the following:

15 (e) TRANSITION.—

16 (1) EXTENSION.—For purposes of evaluating a
17 research and development center (as provided in
18 subsection (c)) and carrying out any other duties
19 deemed appropriate by the Research Commissioner
20 (in consultation with the Director and consistent
21 with this part), such Commissioner, through the Di-
22 rector, shall extend any grant, contract, or coopera-



1 tive agreement made to such a research and develop-
2 ment center for a period of not more than 2 years,
3 after which the Director, based on the priorities and
4 mission of the Academy and the extent to which the
5 work of the Center has met the standards of sci-
6 entifically valid research, shall—

7 (A) extend or renegotiate such grant, con-
8 tract, or cooperative agreement with such re-
9 search and development center; or

10 (B) terminate or prohibit the renewal of
11 such grant, contract, or cooperative agreement.

12 (2) DETERMINATION.—In making a determina-
13 tion under paragraph (1), the Research Commis-
14 sioner, in consultation with the Director, may use
15 evaluations and assessments of a research and devel-
16 opment center described in subsection (c) completed
17 before the date of enactment of this title.

Page 29, line 5, strike “Research Center” and insert
“Research Commissioner”.

Page 31, line 24, insert a comma after “in” and
after “minimum”.

Page 33—

(1) line 15, strike “and” at the end; and



(2) after line 18, insert the following:

- 1 (K) educational access to, and opportunity
- 2 for, early childhood education; and
- 3 (L) the availability of, and access to, be-
- 4 fore-school and after-school programs (including
- 5 such programs during school recesses);

Page 34, line 6, before the semicolon, insert “, which may include assisting State educational agencies and local educational agencies with the disaggregation of data”.

Page 35, lines 1, 5, 8 through 9, and 22, and page 36, lines 17 and 25, strike “Statistics Center” and insert “Statistics Commissioner”.

Page 42, line 13, strike “Evaluation Center” and insert “Evaluation Commissioner, through the Director”.

Page 45, beginning on line 3, strike all that follows through page 47, line 24, and insert the following:

- 
- 6 (11)(A) The term “scientifically based research
 - 7 standards” means research standards that—
 - 8 (i) apply rigorous, systematic, and objec-
 - 9 tive methodology to obtain reliable and valid

1 knowledge relevant to education activities and
2 programs; and

3 (ii) present findings and make claims that
4 are appropriate to and supported by the meth-
5 ods that have been employed.

6 (B) The term includes, appropriate to the re-
7 search being conducted—

8 (i) employing systematic, empirical meth-
9 ods that draw on observation or experiment;

10 (ii) involving data analyses that are ade-
11 quate to support the general findings;

12 (iii) relying on measurements or observa-
13 tional methods that provide reliable data;

14 (iv) making claims of causal relationships
15 only in random assignment experiments or
16 other designs (to the extent such designs sub-
17 stantially eliminate plausible competing expla-
18 nations for the obtained results);

19 (v) ensuring that studies and methods are
20 presented in sufficient detail and clarity to
21 allow for replication or, at a minimum, to offer
22 the opportunity to build systematically on the
23 findings of the research;

24 (vi) acceptance by a peer-reviewed journal
25 or approved by a panel of independent experts



1 through a comparably rigorous, objective, and
2 scientific review; and

3 (vii) using research designs and methods
4 appropriate to the research question posed.

5 (12) The term “scientifically valid education
6 evaluation” means an evaluation that—

7 (A) adheres to the highest possible stand-
8 ards of quality with respect to research design
9 and statistical analysis;

10 (B) provides an adequate description of the
11 programs evaluated and, to the extent possible,
12 examines the relationship between program im-
13 plementation and program impacts;

14 (C) provides an analysis of the results
15 achieved by the program with respect to its pro-
16 jected effects;

17 (D) employs experimental designs using
18 random assignment, when feasible, and other
19 research methodologies that allow for the
20 strongest possible causal inferences when ran-
21 dom assignment is not feasible; and

22 (E) may study program implementation
23 through a combination of scientifically valid and
24 reliable methods.



1 (13) The term “scientifically valid research” in-
2 cludes applied research, basic research, and field-ini-
3 tiated research in which the rationale, design, and
4 interpretation are soundly developed in accordance
5 with scientifically based research standards under
6 this title.

Page 48—

(1) line 13, strike “based on scientifically valid research,”; and

(2) line 16, after “instruction”, insert “based on scientifically valid research”.

Page 53, strike line 19 and all that follows through page 55, line 11, and insert the following (and make such conforming and technical changes as are appropriate):

7 **SEC. 188. VACANCIES.**

8 Any member appointed to fill a vacancy on the Board
9 occurring before the expiration of the term for which the
10 member’s predecessor was appointed shall be appointed
11 only for the remainder of that term. A vacancy in an of-
12 fice, board, committee, or center of the Academy shall be
13 filled in the manner in which the original appointment was
14 made. This section does not apply to employees appointed
15 under section 189.



1 **SEC. 189. SCIENTIFIC OR TECHNICAL EMPLOYEES.**

2 (a) APPOINTMENT AND PAY.—The Director may ap-
3 point for limited periods of time and fix the pay of certain
4 scientific or technical employees to carry out the functions
5 of the Academy or the office, board, committee, or center,
6 respectively, without regard to the provisions of title 5,
7 United States Code, governing appointments in the com-
8 petitive service, and the provisions of chapter 51 and sub-
9 chapter III of chapter 53 of such title relating to classi-
10 fication and General Schedule pay rates: *Provided*, That—

11 (1) at least 30 days before the appointment of
12 any such employee, public notice is given of the
13 availability of such position and an opportunity is
14 provided for qualified individuals to apply and com-
15 pete for such position; and

16 (2) the appointment of such employee is nec-
17 essary to provide the Academy with scientific or
18 technical expertise that could not otherwise be ob-
19 tained by the Academy through the competitive serv-
20 ice and such necessity can be justified in a clear and
21 convincing fashion.

22 (b) MAXIMUM NUMBER.—Employees appointed
23 under this subsection and employed at the Academy at any
24 particular time shall not exceed 20 percent of the total
25 employees of the Academy or a total of 60 individuals.



1 (c) MAXIMUM PAY RATE.—An employee appointed
2 under this section may not be paid at a rate that exceeds
3 the rate of basic pay for level IV of the Executive Sched-
4 ule.

5 (d) TERMS.—An employee appointed under this sec-
6 tion may serve not longer than 6 years.

Page 55, after line 16, insert the following (and
make such conforming and technical changes as are ap-
propriate):

7 **SEC. 191. RESEARCH FELLOWSHIPS.**

8 In order to strengthen the national capacity to carry
9 out high-quality research related to education, the Direc-
10 tor shall establish and maintain research fellowships in the
11 Academy (and which may include the establishment of re-
12 search fellowships in historically black colleges and univer-
13 sities, and other institutions of higher education with large
14 numbers of minority students) that support graduate and
15 postdoctoral study, in particular for women and minori-
16 ties, with such stipends and allowances, including travel
17 and subsistence expenses, as the Director may determine
18 necessary to obtain the assistance of highly qualified re-
19 search fellows.

Page 56, line 4, strike “\$270,000,000” and insert
“\$400,000,000”.



Page 56, line 6, strike the period and insert the following:

1 , of which—

2 (1) no less than the amount provided to the
3 National Center for Education Statistics (as such
4 Center was in existence on the day before the date
5 of the enactment of this Act) shall be provided to
6 the National Center for Education Statistics, as au-
7 thorized under part C; and

8 (2) the lesser of 2 percent of such funds or
9 \$1,000,000 shall be made available to carry out sec-
10 tion 117 (relating to the National Board for Edu-
11 cation Sciences).

Page 56, line 10, strike “\$4,598,000” and insert
“\$4,500,000”.

Page 56, line 13, strike “\$90,825,000” and insert
“\$107,500,000”.

Page 56, line 17, strike the period and insert “to
carry out sections 159 and 160”.

Page 57, strike line 1 and all that follows through
page 66, line 15, and insert the following (and make such



technical and conforming amendments as are appropriate):

1 **SEC. 202. REGIONAL RESEARCH AND TECHNICAL ASSIST-**
2 **ANCE.**

3 (a) REGIONAL RESEARCH AND ASSISTANCE.—

4 (1) IN GENERAL.—The Secretary of the Acad-
5 emy shall—

6 (A) establish, oversee, and coordinate a na-
7 tionwide, regional network of entities authorized
8 to provide comprehensive applied research, de-
9 velopment, and technical assistance and pro-
10 mote reform initiatives to States, local edu-
11 cational agencies, schools, tribes, community-
12 based organizations, and other appropriate enti-
13 ties; and

14 (B) in identifying not more than 10 re-
15 gional areas of the United States to make up
16 such network, utilize the geographic regions es-
17 tablished under section 941(h)(2) of the Edu-
18 cation Research, Development, Dissemination,
19 and Improvement Act of 1994 (20 U.S.C.
20 6041(h)(2)) (as such provision existed on the
21 day before the date of enactment of this title).

22 (2) REGIONAL BOARDS.—Each region referred
23 to in paragraph (1)(B) shall be governed by a re-



1 regional board which shall be established by the Gov-
2 ernors in consultation with the chief State school of-
3 ficers in such region. The membership of such board
4 shall not exceed 25 members, shall represent a bal-
5 ance representation of States in the region and con-
6 sist of the following individuals:

7 (A) Not more than one representative of
8 each State educational agency geographically lo-
9 cated in the region.

10 (B) Representatives of local educational
11 agencies, who shall be selected jointly by the
12 Governors and the chief State school officers in
13 such States represented by such region and
14 shall include representatives of urban and rural
15 areas.

16 (C) Representatives of institutions of high-
17 er education, including individuals representing
18 university-based education research, and univer-
19 sity-based research other than education, who
20 shall be selected jointly by the Governors and
21 the chief State school officers from the States
22 represented by such region.

23 (D) Parents, who shall be selected jointly
24 by the Governors and the chief State school of-



1 ficers in such States represented by such re-
2 gion.

3 (E) Practicing educators, including class-
4 room teachers, principals, administrators,
5 school board members, and other local school
6 officials, who shall be selected jointly by the
7 Governors and the chief State school officers in
8 such States represented by such region;

9 (F) Representatives of business, who shall
10 be selected jointly by the Governors and the
11 chief State school officers in such States rep-
12 resented by such region

13 (G) Researchers, who shall be selected
14 jointly by the Governors and the chief State
15 school officers in such States represented by
16 such region.

17 (3) SPECIAL RULE.—The number of members
18 on each such board selected under subparagraphs
19 (B), (D), and (E) collectively, shall total more than
20 those selected under subparagraphs (A), (C), (F),
21 and (G), collectively.

22 (4) PLAN.—Each regional board shall—

23 (A) develop a plan for identifying and serv-
24 ing the needs of all States within the region by
25 conducting a survey of the educational needs,



1 strengths, and weaknesses within the region, in-
2 cluding a process of open hearings to solicit the
3 views and needs of schools, public charter
4 schools, teachers, administrators, parents, local
5 educational agencies, librarians, businesses,
6 State educational agencies and other customers
7 within the region;

8 (B) forward such plan to the Secretary
9 and the Commissioner for Education Research
10 (established under section 132 of the Education
11 Sciences Reform Act of 2002), to assist in mak-
12 ing decisions regarding the national priorities
13 within education research;

14 (C) be the sole entity that guides and di-
15 rects entities in paragraph (6)(A)(i) in carrying
16 out the provisions of this paragraph, satisfying
17 the terms and conditions of their contract
18 award and determining the regional agenda and
19 mission of such entities;

20 (D) ensure that the entities in paragraph
21 (6)(A)(i) attain and maintain a high level of
22 quality of the entities' work;

23 (E) establish standards to ensure that each
24 entity in paragraph (6)(A)(i) has strong and ef-
25 fective governance, organization, management,



1 and administration, and employs qualified staff;
2 and

3 (F) direct each entity in paragraph
4 (6)(A)(i) to carry out its duties in a manner
5 that will make progress toward reforming
6 schools and educational systems.

7 (5) APPLIED RESEARCH, DEVELOPMENT, DIS-
8 SEMINATION, AND TECHNICAL ASSISTANCE.—Based
9 on the plan described in paragraph (4), each re-
10 gional board shall carry out comprehensive applied
11 research, development, dissemination, technical as-
12 sistance, and reform initiatives, which, at a min-
13 imum, shall include—

14 (A) the dissemination of research, informa-
15 tion, products, and publications developed
16 through, or supported by, the Department of
17 Education, including the Academy, to schools,
18 educators, parents, and policymakers through-
19 out the United States, including, at a min-
20 imum, information related to—

21 (i) the core academic areas of mathe-
22 matics, science, and reading; and

23 (ii) education technology;

24 (B) training and technical assistance to
25 State educational agencies, local educational



1 agencies, schools, public charter schools, tribes,
2 community-based organizations, and other ap-
3 propriate entities, in areas which, at a min-
4 imum, shall include—

5 (i) the administration and implemen-
6 tation of programs under the Elementary
7 and Secondary Education Act of 1965 (20
8 U.S.C. 6301 et seq.);

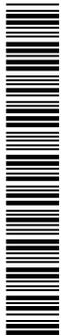
9 (ii) the implementation of effective
10 schoolwide programs under title I of the
11 Elementary and Secondary Education Act
12 of 1965 (20 U.S.C. 6301 et seq.);

13 (iii) assistance for the implementation
14 of teaching methods and assessment tools,
15 based upon scientifically valid education re-
16 search, for use by students, teachers, and
17 administrators, including, at a minimum,
18 assistance related to—

19 (I) the core academic areas of
20 mathematics, science, and reading;
21 and

22 (II) education technology;

23 (iv) the provision of education prod-
24 ucts, based on scientifically based edu-
25 cation research, in a usable form in order



1 to promote school improvement and aca-
2 demic achievement and to correct edu-
3 cational deficiencies; and

4 (v) the facilitation of communication
5 between educational experts, school offi-
6 cials, and teachers, parents, and librarians;

7 (C) applied research projects designed to
8 serve the particular needs of the region if qual-
9 ity applied research does not exist as deter-
10 mined by the regional board, and reflect find-
11 ings from scientifically valid research resulting
12 in user-friendly, replicable, classroom applica-
13 tions geared toward promoting increased stu-
14 dent achievement; and

15 (D) the use of applied research to assist in
16 solving site-specific problems and to assist in
17 development activities.

18 (6) AUTHORITY.—

19 (A) IN GENERAL.—To carry out the activi-
20 ties described in paragraph (5), each regional
21 board shall—

22 (i) enter into contracts with not fewer
23 than two entities, on a competitive basis,
24 to provide services under this subsection,
25 and of such entities—



1 (I) the primary duties of at least
2 one entity shall include those de-
3 scribed in paragraph (5)(A),
4 (5)(B)(iii), (5)(B)(iv), (5)(B)(v),
5 (5)(C), and (5)(D); and

6 (II) the primary duties of at least
7 one entity shall include those de-
8 scribed in clauses (i) and (ii) of para-
9 graph (5)(B); and

10 (III) at least one of the entities
11 described in subclauses (I) and (II)
12 shall be a nonprofit entity;

13 (ii) provide grants or enter into con-
14 tracts or cooperative agreements, each of
15 which shall be on a competitive basis, with
16 organizations or institutions (whether pri-
17 vate or public, for-profit or nonprofit),
18 State educational agencies, local edu-
19 cational agencies, or institutions of higher
20 education (or consortia of such entities), or
21 individuals, with the demonstrated ability
22 or capacity to carry out the duties under
23 this subsection, which may also include en-
24 tities that carried out activities (before the
25 date of enactment of this title) under any



1 of the following provisions of law (or their
2 predecessor provisions):

3 (I) Part K of the Educational
4 Research, Development, Dissemina-
5 tion, and Improvement Act of 1994
6 (title IX of the Goals 2000: Educate
7 America Act) (20 U.S.C. 6053 et
8 seq.) relating to Comprehensive Re-
9 gional Assistance Centers (as such
10 part existed on the day before the
11 date of enactment of this title).

12 (II) Part M of such Act (20
13 U.S.C. 6055 et seq.) relating to the
14 Eisenhower Regional Mathematics
15 and Science Education Consortia (as
16 such part existed on the day before
17 the date of enactment of this title).

18 (III) Part N of such Act (20
19 U.S.C. 6053 et seq.) relating to Tech-
20 nology-Based Technical Assistance (as
21 such part existed on the day before
22 the date of enactment of this title).

23 (IV) Section 931(c)(1)(B) of
24 such Act (20 U.S.C. 6031(c)(1)(B))
25 relating to national research and de-



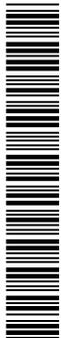
1 velopment institutes (as such provi-
2 sion existed on the day before the date
3 of enactment of this title).

4 (V) Section 941(h) of such Act
5 (20 U.S.C. 6041(h)) relating to re-
6 gional educational laboratories for re-
7 search, development, dissemination,
8 and technical assistance (as such pro-
9 vision existed on the day before the
10 date of enactment of this title).

11 (B) OBJECTIVES AND INDICATORS.—Prior
12 to making a grant under subparagraph (A)(ii),
13 the board shall design specific objectives and
14 measurable indicators to be used to assess the
15 particular program or initiatives and ongoing
16 progress and performance to ensure the needs
17 of the region are being met and that the latest
18 and best research and proven practices are
19 being carried out as part of school improvement
20 efforts;

21 (C) PRIORITY.—In carrying out activities
22 under this section, each regional board shall
23 give priority to—

24 (i) schools with high percentages or
25 numbers of students from low-income fam-



1 ilies, as determined under section
2 1113(a)(5) of the Elementary and Sec-
3 ondary Education Act of 1965 (20 U.S.C.
4 6313(a)(5)), including such schools in
5 rural and urban areas, and schools partici-
6 pating in schoolwide programs under title
7 I of the Elementary and Secondary Edu-
8 cation Act of 1965 (20 U.S.C. 6301 et
9 seq.); and

10 (ii) local educational agencies in which
11 high percentages or numbers of school age
12 children are from low-income families, as
13 determined under section 1124(c)(1)(A) of
14 the Elementary and Secondary Education
15 Act of 1965 (20 U.S.C. 6333(c)(1)(A)), in-
16 cluding such local educational agencies in
17 rural and urban areas.

18 (D) OTHER DUTIES.—Each regional board
19 also shall—

20 (i) have the authority to accept gifts,
21 in kind contributions, services, or other as-
22 sistance to enable expansion and contin-
23 uous improvement of its activities; and



- 1 (ii) ensure its activities meet the ap-
2 plicable standards of quality and the needs
3 of the region;
- 4 (iii) establish such governance, organi-
5 zation, management, administration, and
6 employ such qualified staff as it considers
7 appropriate to carry out its activities;
- 8 (iv) provide services and conduct ac-
9 tivities using the highest quality and most
10 cost effective strategies possible; and
- 11 (v) assure that each of the entities
12 funded under this section coordinate their
13 activities.

14 (7) FUNDING.—

15 (A) IN GENERAL.—From funds made
16 available under section 3(a)(3), the Secretary
17 shall provide each regional board submitting an
18 application under subparagraph (B), an amount
19 approximate to the level of funding received by
20 such region or similar region, under prior re-
21 gional assistance programs as described under
22 paragraph (6)(A)(ii), of which not more than
23 10 percent shall be used for indirect costs using
24 generally accepted accounting principles.



1 (B) APPLICATION.—Each regional board
 2 seeking funds under this section shall submit an
 3 application, to the Secretary for approval, which
 4 shall—

5 (i) describe how the board will carry
 6 out the activities in accordance with this
 7 paragraph; and

8 (ii) provide an assurance that the re-
 9 gional board will give priority in providing
 10 services to the schools and school districts
 11 described in paragraph (6)(C);

12 (iii) contain such additional informa-
 13 tion as the Secretary may reasonably re-
 14 quire.

15 (8) COORDINATION.—In order to assure coordi-
 16 nation and prevent unnecessary duplication of activi-
 17 ties among the regions, the Secretary shall establish
 18 and maintain a system—

19 (A) to share information about the activi-
 20 ties of each region;

21 (B) to plan joint activities that meet the
 22 needs of multiple regions;

23 (C) to create a strategic plan for the devel-
 24 opment of activities undertaken by the each re-
 25 gion to reduce redundancy and increase collabo-



1 ration and resource-sharing in such activities;
2 and

3 (D) to devise means by which the work of
4 the individual regions serve national, as well as
5 regional education needs.

6 (9) EVALUATION.—The Secretary shall provide
7 for ongoing independent evaluations of the regions
8 in carrying out the duties of this subsection, the re-
9 sults of which shall be transmitted to the appro-
10 priate congressional committees and the National
11 Board for Education Sciences (established under
12 section 117 of the Education Sciences Reform Act of
13 2002). Such evaluation shall include an analysis of
14 the services provided under this subsection, the ex-
15 tent to which the region has met the objectives of its
16 plan submitted pursuant to paragraph (4)(A), and
17 whether such services have met the needs of local
18 educational agencies and schools in the region, in-
19 cluding those local educational agencies and schools
20 described under paragraph (6)(C).

Page 66—

(1) line 18, strike “\$67,500,000 for fiscal year
2003 and”; and

(2) line 19, after “necessary”, insert “for fiscal
year 2003 and”.



Page 67, line 9—

(1) after “‘Center’”, insert “and ‘Commissioner’”; and

(2) after “‘place’”, insert “‘either’”.

Page 68, strike lines 18 through 25 and insert the following:

1 (b) NATIONAL ASSESSMENT GOVERNING BOARD.—
2 Section 412 of the National Education Statistics Act of
3 1994 (20 U.S.C. 9011) is amended—

4 (1) in subsection (a), by striking “referred to as
5 the ‘Board’” and inserting “referred to as the ‘Assessment Board’”;

7 (2) by striking “Board” each place such term
8 appears (other than in subsection (a)) and inserting
9 “Assessment Board”;

10 (3) by striking “Commissioner” each place such
11 term appears and inserting “Statistics Commissioner”;

13 (4) in subsection (a) by inserting “(carried out
14 under section 160)” after “National Assessment”;

15 (5) in subsection (e)(1)(A), by striking “section
16 411(b)(1)” and inserting “section 160(b)(1)”;

17 (6) in subsection (e)(1)(B), by striking “section
18 411(e)” and inserting “section 160(e)”;



1 (7) in subsection (e)(1)(D), by striking “, in-
2 cluding the Advisory Council established under sec-
3 tion 407”;

4 (8) in subsection (e)(6), by striking “section
5 411(e)” and inserting “section 160(e)”;

6 (9) in subsection (h), by inserting “(5 U.S.C.
7 App.)” after “Federal Advisory Committee Act”;
8 and

9 (10) by transferring and redesignating the sec-
10 tion as section 159 of this Act.

11 (c) NATIONAL ASSESSMENT OF EDUCATIONAL
12 PROGRESS.—Section 411 of the National Education Sta-
13 tistics Act of 1994 (20 U.S.C. 9010) is amended—

14 (1) by striking “Commissioner” each place such
15 term appears and inserting “Statistics Commis-
16 sioner”;

17 (2) in subsections (a) and (e)(1), by striking
18 “section 412” and inserting “section 159”;

19 (3) in subsection (a), by striking “(hereafter in
20 this title” and inserting “(in this part”;

21 (4) in subsection (a), by striking “and with the
22 technical assistance of the Advisory Council estab-
23 lished under section 407,”; and

24 (5) by transferring and redesignating the sec-
25 tion as section 160 of this Act.



Page 69, after line 7, insert the following (and re-number succeeding provisions accordingly):

1 (2) by inserting “section 941(h) of the Edu-
2 cation Research, Development, Dissemination, and
3 Improvement Act of 1994 (20 U.S.C. 6041(h)) (as
4 such provision was in effect on the day before the
5 date of enactment of this title) or under” after
6 “awarded under”;

