

TRANSCRIPT OF PROCEEDINGS

IN THE MATTER OF:)
)
NATIONAL BOARD OF EDUCATION)
SCIENCES OPEN PUBLIC VIRTUAL)
MEETING (DAY TWO))

HERITAGE REPORTING CORPORATION

Official Reporters

1220 L Street, N.W., Suite 206

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INSTITUTE OF EDUCATION SCIENCES

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Suite 206
Heritage Reporting Corporation
1220 L Street, NW
Washington, D.C.

Tuesday,
December 5, 2023

The parties met remotely, pursuant to notice, at
10:00 a.m.

PARTICIPANTS:

MARIA DE LA CONCEPCION HERNANDEZ LEGORRETA,
Maryland State Department of Education
LINDA DARLING-HAMMOND, Learning Point Institute
DOUGLAS FUCHS, Vanderbilt University
DENISA GANDARA, University of Texas at Austin
ELMER GUY, Navajo Technical University
SHAUN HARPER, University of Southern California
DANA HILLIARD, Mayor, The Hilltop City
STEPHEN KLASKO, General Catalyst
CAROL LEE, Northwestern University
RUTH LOPEZ TURLEY, Rice University
CAROLINE SULLIVAN, North Carolina Business
Commission for Education
HIROKAZU YOSHIKAWA, New York University
DERRICK SCOTT, Virginia State University

Ex Officio Members:

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ELLIE PELAEZ, Designated Federal Official

P R O C E E D I N G S

(10:00 a.m.)

DR. ALBRO: It looks like we have a quorum,
Carol. Do you want me to start with the attendance?

DR. LEE: Yes. Go ahead.

DR. ALBRO: Okay. Dr. Anaya?

(No response.)

DR. ALBRO: Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Present.

DR. ALBRO: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: Here.

DR. ALBRO: Dr. Fuchs?

(No response.)

DR. ALBRO: Dr. Gandara?

DR. GANDARA: Present.

DR. ALBRO: Mr. Guy?

(No response.)

DR. ALBRO: Dr. Harper?

DR. HARPER: Present.

DR. ALBRO: Mr. Hilliard?

(No response.)

DR. ALBRO: Dr. Klasko?

DR. KLASKO: I'm here.

DR. ALBRO: Dr. Lee?

DR. LEE: Here.

DR. ALBRO: Dr. Lopez Turley?

DR. LOPEZ TURLEY: Here.

DR. ALBRO: Dr. Scott?

DR. SCOTT: Here.

DR. ALBRO: Ms. Sullivan?

MS. SULLIVAN: Here.

DR. ALBRO: And Dr. Yoshikawa?

DR. YOSHIKAWA: Here.

DR. ALBRO: Okay. Dr. Schneider?

DR. SCHNEIDER: Here. Here.

DR. ALBRO: Dr. Carr?

DR. CARR: Here.

DR. ALBRO: Dr. Albro? Here.

Dr. Soldner?

DR. SOLDNER: Here.

DR. ALBRO: Dr. Jones?

DR. JONES: Here.

DR. ALBRO: Mr. Santos?

(No response.)

DR. ALBRO: Dr. Miller?

DR. MILLER: Here.

DR. ALBRO: Mr. Wiatrowski?

(No response.)

DR. ALBRO: And Dr. Moore?

(No response.)

DR. ALBRO: And we have a quorum, Carol.

DR. LEE: All right. So the primary task for today, we said we wanted to discuss ESRA, as well as upcoming policy legislation that we should be attending to and also setting a schedule for our meetings.

I did look last night. I think I sent out, I think I did, the charter relative to standing committees, which indicates in my reading of it that we can establish standing committees. The majority of the members of each standing committee shall be voting members of the Board whose experience is needed for the functioning of the committee. Other members of each standing committee may include experts and scientists in research, statistics, evaluation, or other development who are recognized in their disciplines as highly qualified to represent such disciplines and who are not

members of the Board but who may have been recommended to serve by the Commissioner of the appropriate National Education Center and approved by the Board.

So bottom line -- where are we, Teams -- bottom line, we have the authority to establish subcommittees.

We have the authority to include non-Board members as working members of the standing committee. So, based on what we had decided yesterday, we're able to move forward.

So I'm glad that Linda was able to join us today.

Hope that your husband's doing better.

And we discussed yesterday -- I think this was after you had left, Linda -- that we wanted to -- that we were establishing a standing policy committee, and we began some discussion of the need to develop some protocols for how as a Board we would communicate with stakeholders, including Congressional. And, again, my reading of the charter is that we do -- we are authorized to speak to Congressional representation on behalf of the Board, but whatever that communication is obviously is approved by the Board.

And Mark had raised the question of not -- had

raised the issue of not only attention to the reauthorization of ESRA but also separate funding policy discussions that were underway. And I know that you and I had had some discussions that we thought would be helpful for the Board in terms of our responsive feedback around some items that are at least under consideration in the ESRA authorization that we may find problematic and would want to address as well.

So maybe -- and also, there was some considerations around the timing of any activities that we might engage in relative to how the legislation is slowly or otherwise moving through the appropriate Congressional committees.

So, Linda, if you might want to say something maybe to start our discussion about both ESRA reauthorization, ESRA fiscal funding, other policy initiatives that you're aware of. There were several that Mark had mentioned yesterday that perhaps ought to be in our purview and if there are any particular issues relative to either the reauthorization or the funding that you think we ought to be discussing.

DR. DARLING-HAMMOND: Well, I'm glad to say

a couple things, and, obviously, we'll want some guidance around how the NBES has historically engaged with Congress. There is a move, many people here probably know, to get a version of a reauthorization proposal for ESRA out of the Committee like this week, so it's moving very quickly, and then it'll go to the broader -- this is the Senate side.

And it does include a number of changes. I've just begun to see the redlines. I'm sure other folks are beginning to see them. There is some proposals that actually deal with NBES itself and with the governance of IES and NCES, including whether the NBES would be appointed by the President or by the Secretary. There's a proposal for that and to reduce the size of NBES from I think we're at 15 down to nine. There's a proposal in the draft to make the Commissioner for NCES appointed by the Director of IES rather than by the President, so that's another kind of major governance proposed shift.

There will be some discussion, I know, and I've already began hearing from folks at the AERA, American Statistical Association, I'm sure others of you are too, about some of those kinds of concerns. And then there'll

be a robust conversation, I'm sure, about the definition of evidence-based and what do we mean by adequate evidence. And so these are among the things that this group might want to be engaged around. And the draft that's out there just landed Friday, so people are still, of course, looking at it and figuring out what else might be a major shift from where we've been.

And then, of course, there will be appropriations conversations, you know, and those are always important with respect to the capacity to do the work, the periodicity of the data collections. I know that's got to be on Peggy's mind and everyone else's minds.

So those are things that we would want to be able to engage with as well I would think.

And I do not know how the process of NBES engagement with the Congress has worked in the past, so I'd love to hear from people who have experience with that.

DR. LEE: I'm trying to glance back at the charter because I think there is a statement somewhere in here about this Board reporting to the Congress. But, while I'm doing that search, I'd like to get some

discussion and feedback.

Also, before I open it up for discussion, Linda, do you have any sense in terms of the Board organizing to provide some feedback on the legislation or elements of the legislation that are being considered about timelines for when it would make sense for us to try to share any information or recommendations that we had? I say that because what had come up in the discussion yesterday was being prepared through the policy committee that we're forming to be able to have something to share by March, but I'm imagining at this point that's going to be too --

DR. DARLING-HAMMOND: That feels a little late.

DR. LEE: Yeah.

DR. DARLING-HAMMOND: If the ambitions of the committee -- the help committee are, you know, realized, they're hoping to move much more rapidly. Of course, you know, things can move for a moment and then get stalled again, so one never knows about that, but I would say we should get the committee, the standing committee, comprised as soon as possible so that we can get feedback

from the entire Board and be prepared to offer input.

The proposed legislation, yeah, I think it is now available to be looked at, and I can actually probably put something in the chat. I'll look and see what I've --

DR. LEE: I think also too we're going to want to as much as we can have some discussion about what Board members are interested in what subcommittees, but I'm thinking that the policy committee at present is just Conchita and Stephen. And I think, for the work and the timeliness of this, we're going to need some additional people.

I think, Linda, you had indicated you would be willing to serve on that committee as well.

DR. DARLING-HAMMOND: Mm-hmm. Yeah.

DR. LEE: So I'd like to get some feedback in terms of how people are thinking and particularly these three issues of the reduction of the size of the Board, the issue of the NCES director being appointed by the director versus being appointed by the President, as I think is currently the case, correct, Peggy? Right?

DR. SCHNEIDER: That is correct, yeah.

DR. LEE: And any ideas that are popping up as the legislation's evolving around conceptions of evidence-based research.

DR. LOPEZ TURLEY: I just have a question. So only the NCES director was mentioned. None of the others -- of the directors of the other centers?

DR. SCHNEIDER: That is correct. So, at the current time, three of the commissioners are appointed by the director, the NCES Commissioner by the President.

So, in the existing legislation, proposed legislation, as Carol just noted, the committee has chosen to change the status of the NCES commissioner to a director's appointment.

So just a couple things on that. So there is an internal debate within the Department of Education about that specific recommendation. That fight has been going on for some time. And the Department has recognized the internal division within IES and is itself debating what position to take with regard to that provision. So that is a pretty serious conversation going on at the current time, and you should just be aware that that is going on in the Department and outside the Department

also.

So, at the current time -- again, at the current time, the legislation calls for changing the appointment process for the NCES commissioner to make it like the other commissioners.

DR. LOPEZ TURLEY: What are the implications or what are the pros and cons? If anybody has reads on this, that would help me.

DR. SCHNEIDER: Well, I mean, so Peggy will give one side and I'll give the other, but we've been through this many times already.

DR. LEE: Peggy, go ahead.

DR. CARR: Well, what's new this time around is that we have the Evidence Act of 2018, which makes it clearer what Congress wants to do with a statistical official, a recognized statistical agency. And this debate that Mark is talking about that just surfaced again a few days ago, the Department made it clear that it wanted to be aligned with the Evidence Act. And so I think that is a clear signal that there's been a shift in the thinking to be more in line with what the statistical community sees and wants to do with this recognized statistical

agency.

I would also add that there is a draft regulation, trust regulation, about how to implement the Evidence Act. It's been through several iterations here in the Department and, of course, across the larger federal government, and it is very clear that the independence and the autonomy and the responsibilities of the recognized statistical agency is of the utmost importance.

So I don't think it's as clear as it maybe was earlier in the debate a few years ago. I think legislation has clearly laid a stronger guideline.

DR. SCHNEIDER: I'll say just two points to that. So, clearly, the Congress is the ultimate arbiter of the decision about how to appoint the NCES commissioner. So just as the Evidence Act was passed by Congress, ESRA, the authorization could be passed by Congress and change that status. That is totally within the purview of the Congress. And to say that one act means that they can't act differently is not correct.

The second thing is regulations are at the bottom of the pile of hierarchy of what rules government

agencies and government policy, so, obviously, there's the Constitution, treaties, at a level above us, but then there's legislation, and regulations cannot trump legislation.

So there are many things in the regulatory statement, the proposed trust regulations, that contradict ESRA and that are probably contradictory of other practices in government. And we are not the only agency that has many comments about the trust regulations.

State, Treasury also had many comments about trying to rein in the trust specs.

DR. CARR: Well, I would add that to --

DR. SCHNEIDER: So -- I'm sorry. So, obviously, there's a big debate and you should just know that when you wade into this.

DR. CARR: Well, I would add to the point about other statistical agencies NCES is the third largest statistical agency by a lot of dimensions. Census and the Bureau of Labor Statistics are appointed by the President and they may also -- and my recollection are confirmed by the Senate. This is not in the best interests in my opinion, and I've been around the

statistical agency and the whole community for decades now. To demote the independence and the autonomy of this agency is not in anyone's best interests to do that.

So this certainly is my opinion, but as Mark has indicated, it's not only my opinion. There are those on the outside of the Department, those who are advocates of the federal statistical agencies that really support this position as well.

And I just would also add that what needs to be considered -- you know, Mark and I have been colleagues for, I don't know, 20 years or so, and so our personalities and how we interact is different than what -- we don't know who's going to be in these positions in the future.

So it should be mutually exclusive from the personalities or the relationships of the people in the position and what they bring to the position. So I think that's an important component. The objectivity of the position should be mutually exclusive from who's in it or who is the -- who has the administration, whether, you know, it's one party or another.

DR. SCHNEIDER: So the only thing I would repeat is it's obvious that there's a lot of tension and

a lot of debate going on both in IES, in the Department, and wider than that about this decision.

So the only thing I would just say is I would repeat the same warning, right, that this is an intense debate, ongoing. It divides. Even in OMB, there are fights over this. So I would just warn about, you know, going into this with your eyes wide open.

DR. DARLING-HAMMOND: I was going to say I think we've got the sense of the debate, and there is a debate going on in, you know, many places in the research enterprise around this.

I think a question for us as a Board is what is the process by which we want to in general be engaged around the policy work, including this obviously important piece of proposed legislation.

I did put all of the -- for those who are speed readers, I did put all the links in the chat, but, obviously, it's not something we can address and resolve around the content of our feedback today. I think the process is what we should try to figure out.

DR. LEE: So I would like to hear from other Board members. I'm raising the question because, as we

make decisions about weighing in with information or advice relative to legislation that's arising, we need to be aware as a Board of the full dimensions of those pieces of legislation as they're unfolding, as opposed to just a simple decision. There's ESRA reauthorization coming up and, obviously, we are supportive of that. But, if there are issues that are under consideration that we think are questionable, then we need to be able to weigh in on that.

So I would like to hear from other Board members. This will be one of the issues about how we want to respond to the ESRA legislation, both the reauthorization and the appropriation. Process-wise the Committee is going to come up with a plan to advise us about how to proceed, and, obviously, that's going to have to move forward quickly.

But, at the end of the day, it is this Board that will decide the content and focus of the recommendations we might have. So I would like to hear from other Board members.

DR. KLASKO: Carol, this is Steve Klasko. Does it make sense for us post-Board meeting to get a

group together to come up with a position paper of, you know, the four or five major issues and where we stand as a Board and can that be shared or is that just something that we would use as an internal document?

DR. LEE: I think process-wise that would be very appropriate and I think not only for this ESRA legislation but going forward for other pieces of legislation that are coming up that are going to affect IES that we think as a Board we should be able to weigh in.

And, again, I don't have the time at this point to go back, but I'm almost certain that I did read in the charter a responsibility of us to communicate to Congress, that this is not something that's beyond, you know, the purview of the Board to do. Yeah. But I think -- but I still would like to get some feedback, some sense of the Board as the policy committee would sort of move forward with the details of this. I think it would be helpful to have some sense. I'm not saying we take a vote or anything at this point, but just some sense of the sort of breadth of thinking that Board members have. I think they call this wait time in classrooms,

right?

DR. LOPEZ TURLEY: Well, I had one reaction to the proposal to reduce the size of the Board from 15 to I think nine you said.

DR. LEE: Right.

DR. LOPEZ TURLEY: You know, at first, obviously, there are pros and cons to that. One advantage is that sometimes it's easier to have discussions and make decisions with a slightly smaller group, but then, in thinking about these subcommittees and all the work that needs to be done, you know, it's been helpful to have, you know, three or four people within each subcommittee to get the work done, especially between meetings. My initial reaction is to lean toward keeping it at 15 simply because of the work that needs to be done and because of the structure that we're trying to put into place. But that's just an initial reaction to that proposal.

DR. DARLING-HAMMOND: If I could just add to that, I think there's another question, which is how do you represent the various areas of knowledge and domains of expertise that might need to weigh in on the various

decisions. So I think that's another reason to have room to appoint sufficient breadth of Board members.

MR. HILLIARD: Morning, Carol. I agree with both Ruth and Linda. I mean, I manage a nine-member city council here, and there is not a day that goes by when I am not making emergency appointments to subcommittees or committees so that they could meet. I just made two this morning so my appropriations committee and my public works committee could meet, which was important because there was snow coming down.

So nine is very hard because you are constantly moving the coconuts to try to fill in a vacancy or just someone doesn't show up and suddenly you can't legally meet, but you can meet but can't make any decisions, which is, you know, just having coffee and catching up on the gossip in town.

So I think the 15 is important, one, just to legally be able to obtain a quorum and, two, to get like Linda said, that broad spectrum is important so that suddenly you are not tunnel vision on one form of opinion.

DR. HARPER: Yeah, I also agree for all the

reasons that have been stated, that 15 is definitely a much more appropriate number than is nine.

DR. YOSHIKAWA: I agree too, but there's also the issue I guess of the appointment structure, right?

NBES was set up by some circumstance as a Presidential appointment and it did have confirmation of the Senate that added I would have to say, you know, six to nine months to appointment times. And I'm sure the Presidential nature of the appointment adds to all the White House clearance process, right. So just wondered -- want to make sure that that is also part of our discussion here and whether there's been any kind of input that IES itself, Mark or others, have around that issue.

DR. LEE: Is that a question that's arisen in terms of moving back to Senate approval for NBES appointments?

DR. DARLING-HAMMOND: Currently, obviously, there's no Senate approval, but there is White House appointment. And the proposal is to move the appointment I think to the Secretary.

DR. SCHNEIDER: That's correct. And so the

closest model that we have that NBES would be moving closer to would be NAGB, the National Assessment Governing Board, which is a Secretarial appointment and in contrast to what's gone on with this Board and appointments and dismissals and appointments and lag times, the NAGB -- and Peggy could comment on this -- NAGB as a Secretarial appointment is much higher priority. It very rarely has empty seats for very long.

So we actually proposed moving it from Presidential to Secretarial appointment. Any decision -- any discussion about going the other way and putting Senatorial confirmation should be dead, right.

I mean, as someone noted, it would take -- I think, as Hiro noted, it would add six to nine months to the appointment process. So my recommendation and the Department's position is that this should be Secretarial appointments.

DR. LOPEZ TURLEY: And what was the reason behind the recommendation to reduce it to nine?

DR. SCHNEIDER: I have no idea about that. I was shocked by that also.

DR. LOPEZ TURLEY: There was no stated reason?

DR. SCHNEIDER: There is no stated reason. It came as a total shock to everybody in IES.

DR. LOPEZ TURLEY: Okay.

MS. HERNANDEZ LEGORRETA: This is Conchita. I have two points. I agree with everyone on kind of keeping it larger. And also, due to the fact that this Board hasn't met in so long, that there's so much work to get done, that at this point, if it was reduced, it would hinder the work.

The other point I want to mention is the policy subcommittee in my mind has two different purposes. So one is as things come up, so as we're getting a proposal, right? During the legislative cycles and how they work, something can happen in a week, in two days, things happen very, very quickly. So that would be the first part of dealing with these type of things and providing recommendations.

The other part, the kind of if we can do the meetings on the Hill that we talked about in March and April, that would be kind of a stand-alone thing that would really target appropriations regardless because that is something that we need to focus on, regardless

of what is happening with ESRA and everything else.

So there are kind of two separate things. So I just wanted to kind of point that out. And we could do, like, a yearly day on the Hill if it is within our purview but also support the things as they come through legislation.

DR. LEE: Caroline?

MS. SULLIVAN: Yeah, I agree on the 15 and I think having all of the sort of diversity of thought and experience is good because especially, like, data and science mean nothing if people don't know how to use it and don't understand it and don't see it. And I think sometimes, you know, people just get focused on what they're doing day to day and aren't thinking of how this is useful. So I think having more advocates on the Board is helpful, along with everything else that people have said.

The one thing about the Presidential appointment, I do wonder because this Board is Presidential, is appointed by the President, does it elevate perhaps some of the work that we do and would it, you know, perhaps bring us a little more -- would

it sort of elevate our thoughts and our discussions and what we do? Just a thought --

DR. SCHNEIDER: So --

MS. SULLIVAN: -- because I get the whole it would be easier the other way, but, number one, we've all been through the Presidential -- the White House vetting process. But just wonder if sort of -- there had to be a reason why they did it this way in the first place --

DR. SCHNEIDER: So I can speak to --

MS. SULLIVAN: -- have it be Presidential appointments. Just curious if anybody knows why that was.

DR. SCHNEIDER: I can speak -- right. I can speak to the history on this. So, in 2002, when ESRA was passed, the vision, quite frankly -- and maybe this relates something to Shaun said yesterday about, you know, the Board level that we're at. So the thought was that education research and IES was going to end up the size of NIH or NSF. That was the thinking. And if you look at their high-level boards, right, they're Presidential appointees. Many of them were Senate confirmed, but

Senate confirmations disappear from almost all of this.

But, if you look at the original legislation and the people still here that come from -- you know, the director of NSF, the director of BLS, the director of the Census, and one other. I can't remember what the other office. But these were really, I mean, really high-level people that were designed to make this Board the equivalent of the National Board of Science, for example, which is NSF's, right?

So we never got anywhere near the size of NIH.

We never got anywhere near the size of NSF. And so the image of why this Board was going to, you know, have all these ex officio members at the highest level and why this was Presidential appointment and why this was, you know, Senate confirmation was because the image was that NBES was going to be the same thing as the National Board of Science, NBS.

So, obviously, we spend more money now than we did in 2002, but taking inflation into account, you know, whatever the \$800 million is in comparison to NSF and NIH, this compared to that, we never got to the size of the other science agencies. So this doesn't mean that

your work is not important. It means that the Board was set up with a vision that nobody ever got to, so that's number one.

Number two, I look at because I'm an ex officio member of NAGB. When I was the commissioner of NCS, I also reported to, not -- reported information to, not reported to NAGB, they -- and they've been very effective, right. They've been extremely effective, and there was one empty seat that was just filled, right? I mean, it's not like it takes forever to get these positions filled.

Now, as to the allure, if you will, of a Presidential appointment to join the Board as compared to a Secretarial appointment, I mean, you'd have to look inside yourselves and answer that question.

DR. LEE: Shaun?

DR. HARPER: Yeah. Mark, that was incredibly helpful historical context.

I think my view is that, certainly in light of my observations yesterday about the pace of our work so far, it feels to me like a Secretarial appointment would remove at least some of the bureaucratic, you know, hurdles.

I also think that, yeah, we just need to move faster, which I think is important. I do agree with Mark, you know, given my other agency experiences, I don't think that our work would -- the importance of our work would be diminished by, you know, a Secretarial as opposed to a Presidential appointment.

There was one more thing I wanted to say about it. It's still very early here where I live, so maybe it'll come back to me.

DR. LEE: Well, one question relative to that -- and, again, Mark, you may be able to answer that for us -- is whether or not the federal regulatory constraints, if you will, that we have would be any different whether we were appointed by the President or by the Secretary. I'm thinking that that would be better, but I don't know.

DR. SCHNEIDER: No, so you're a FACA committee and that's what drives. And you would be a FACA committee also, so -- and internally -- well, you saw the email we got this morning about this is what you can do. It came from a FACA attorney. So I think until we -- I mean, until the -- and I want to -- this is I think Shaun's

point also.

The slow pace was in part because of, quite frankly, some disorganizational issues, not organization, but disorganizational issues right at the beginning. Ellie, I mean, you have one of the best people on the administrative side of IES as the Designated Federal Official. She's amazingly good. I mean, again, you know, I must admit putting her on to supporting you, the Board, was a very selfish -- I mean, I agreed to it as very selfish and almost said, no, find somebody else because she's -- but you need the Board -- I mean you need her right now until you get an exec director.

So I want to apologize because there were obviously many false steps setting it up. But, look, I mean, what you're planning going forward is certainly not slow, right? I mean, there will be inevitable, you know, hiccups along the road. You're all busy people, and Carol is obviously very ambitious about where she wants the Board to weigh in on. But, yeah, I think it's going to speed up.

But I do want to thank you for the comments.

I don't think Secretarial versus Presidential

appointment will have any effect on your standing and your ability to go to Congress or anything like that. I think that's immaterial, and, again, we have the counterfactual or the counter-example of NAGB, which has always been Secretarial appointment and a very effective advocate for me.

DR. HARPER: Carol?

DR. LEE: Uh-huh.

DR. HARPER: It came back to me. So one of the other observations I wanted to make is in terms of at least my appraisal of White House bandwidth and where we fall in the priority of all of the things that the White House has to do. I think that that is a contributing factor to the slow pace of our work whereas, if it were a Secretarial appointment, it is an Education board, so I would imagine that the Secretary of Education would have -- we'd just be a much higher priority to the Department given the specificity of what we do.

DR. LEE: Thank you. Hiro?

DR. YOSHIKAWA: Yeah, just following that. I wanted to kind of -- I think, Mark, you implied this, but I wanted to hear this kind of more clearly, which

is that we did not start until at least two years into the current administration. And so, if this were a Secretarial appointment, would we have been appointed quicker? And as a comparison, did NAGB function earlier in this administration, which I imagine it did?

DR. SCHNEIDER: So the answer is yes to both parts. I think, yes, it would have -- the lag between the election and the appointment of this Board would have been shorter, I believe, as a Secretarial appointment.

And, again, I don't think the standing of the committee as a Secretarial versus Presidential appointee would differ at all.

And, actually, I wonder -- I don't know because we don't have a counter to this, I wonder if it was a Secretarial appointment if the Secretary would pay more attention to NBES than it does at the current time. Definitely, there would not be the kind of lags that we have.

So remember, at the end of the Trump Administration, despite incredibly hard work by me, by other members and staff, we had three people on the Board.

I mean, it just wasn't -- it just was not a high enough

priority. And I'm just going to mirror what Shaun said.

I mean, the White House has a million things to do or more, and the Board is not -- I mean, look how long it took to get you appointed. Look how, you know, at the end of the Trump Administration we had three people appointed. It's just not high enough priority for the White House.

DR. LEE: Derrick?

DR. SCOTT: Good morning. I think Shaun hit it on the head in terms of the priority even for my reappointment. I think we started this probably in June or July, and I don't think there's any end in sight for the reappointment because I don't think it's a priority.

And also, backing up a little bit, I definitely think 15 is the way to go for the number just based on the breadth of diversity of this room that we're sitting in right now. I don't want that to be diminished.

And then, yeah, I think if each person asks themselves would they have taken this appointment if it was Secretarial versus Presidential, of course, I think I'm definitely honored to say that it was a Presidential

appointment, but I would have said yes either way just for the work that we're doing. So I think that's also something to consider as well.

DR. LEE: Thank you. Stephen?

DR. KLASKO: I just have one procedural question. In the previous administration, I think there were three directors. Would that matter? I mean, would each time there was a new cabinet member, DHHS, would they have the opportunity to create a new board?

DR. SCHNEIDER: So, I mean, one of the unfortunate things that's happened is that the Board has, in fact, become more politicized between the end of the Obama Administration, through the Trump Administration, and through the beginning of this Administration. I mean, and so I cannot tell you what, you know, what's going to happen, right? I mean, so one time the norm was that the Board was appointed. It was advising an independent autonomist, non-partisan institute, IES. And it was supposedly, you know, much more expert-oriented, less politically oriented. And, I mean, I don't like what's happened since the end of the Obama Administration to the Board, but that's the fact

and, I mean, that's just the way it is.

But, you know, NAGB, just again to keep going back to NAGB, NAGB has not had these kinds of purges that NBES has had, quite frankly.

DR. LEE: Dana --

DR. SCOTT: Can I say one more thing?

DR. LEE: Oh, sure. Go ahead, Derrick, and then Dana.

DR. SCOTT: I just wanted to say -- I just want to give a shout out to everybody that made these appointments happen. Looking at the political nature of how hard it is to have a board and we were able to get 15 people in this short a period of time now that I'm on the other side seeing how much it takes, I just want to say you guys did a great job just getting us to where we are right now, and that's a mini-miracle in itself. So I just want to say thank you for that.

DR. LEE: Okay. Dana?

MR. HILLIARD: Thanks, Carol.

Actually, Derrick, that was a great leeway. My only caution and, you know, my service on this Board is I'm periodically going to pull the football flag and

throw it on the field and just say, okay, just look at this penalty that might occur, is that right now I am proud to be part of this Board just because of the wide variety of spectrum and service that has been brought to this field from politicians to statisticians to, you know, people that, like I say, are in the mines serving in secondary positions or elementary positions and those that are in collegian positions. It's that all of us are coming to the table with a wide variety of spectrum of view, which means we'll be able to blend those opinions and find hopefully a clear pathway.

That's a lot of hard work, but in the end, when you are on that clear pathway, you're able to reach success. It's the conversation and it's getting there that is the hardest.

My caution with moving forward to perhaps a Secretarial appointment is that we will get narrow in the scope of who comes to the table, and that's what I don't want to happen. There are ways of correcting that, which is that you do defined appointments, which means you then specify who is occupying that specific seat from a specific area.

So, if we are going in that direction, then that's really what I would like to see, is to ensure that, again, this wide variety of who is sitting at the table when we all eventually meet together in person, that that continues because that offers up a difference of opinion as opposed to that narrow scope.

And, again, it's very hard work. As you know, when you cast that net and you get a lot of fish in there, there's a wide variety and it's going to be a lot of hard work to get to a point where we all agree, but the end product is always stronger. It is always stronger.

DR. LEE: Shaun, is your hand up again?

DR. HARPER: Yes, it is. I wanted to weigh in on what Dana just said and actually pose a question. Might we have some authority to offer some guidance on the kinds of people who would be, you know, appropriate prospects for this group if it were a Secretarial appointment? Obviously, not naming individuals but, you know, just sort of naming the kind of diversity that would be important and offer it as guidance?

DR. SCHNEIDER: But that's already in the legislation. There are slots. People, you know -- so,

I mean, you -- so let me suggest one thing. So I think, Shaun, your point is well taken. We should look at that list, right, and make sure that the list -- because NAGB has the same thing, right? The seats on the Board are designated for not specific people but specific roles, right, so you might want to consider, like, the roles that need to be presented.

And so just in terms of strategy, I think there's growing consensus -- there's clear consensus. I'm sorry, I don't -- I mean, there are other people that have their hands up. But, if I were the Board, I would think that the recommendations with regard to nine versus 15, Secretary versus Presidential, that's totally within your bailiwick. And rather than get involved in the short term with fights over this or that, because I have a whole other list of legislative activities that I am going to pose to you for you to consider, but this is a very particular activity, right? It's clearly affecting the Board. And I would recommend that you all come up with a policy statement as soon as possible and get that to the health committee as soon as possible.

No one's going to accuse you of getting involved

in any -- you know, getting outside your lane or over your skis or whatever. These are your skis. This is really you and I would say you should come to a consensus as soon as possible with regard to nine versus 15, Secretary versus Presidential, following up on Shaun's points about, you know, who's on there, and I would get that to the health committee as soon as possible.

And, again, I don't think there's any -- you know, you wouldn't get -- there's no act -- it's impossible for you to be accused of wandering into places you don't belong. This is where -- I mean, this is clearly within your purview, and I would recommend that you move as fast as possible to get your position in front of the health committee while they're still debating and working on the bill.

DR. LEE: Stephen?

DR. KLASKO: Yeah. So, I mean, to that point, Mark, I think there seems to be consensus about the 15 rule.

And just to follow up on Dana's piece, though, I know in my situation I was president of a university and health system and was not allowed to do a lot of things

and had been offered, you know, certain cabinet appointments.

It's very hard for a Board to say no to a Presidential appointment and the only question we'd have to ask is whether or not it would affect the group that we get or that's allowed to do this, and you would know better than I.

But just to follow up on Dana's piece, there's such an important piece in getting this incredibly diverse group that we've got, I don't really care personally, from my own personal point of view, but I'm not sure that my board would have been such a terrible battle if it was, you know, Secretary Becerra, for example, that was, you know, asking me to do it.

DR. LEE: Derrick, is your hand up again?

DR. SCOTT: It's not. My bad.

DR. LEE: Okay. So what I'm hearing is, one, I totally agree, Mark, that the reason I wanted to have this discussion today that we need to create whatever we want to communicate relative to ask for reauthorization. I want a very quick turnaround because of how it's moving.

I wanted to have also the discussion because, and I think this will be an issue going forward in terms of the work of the Policy Committee, is making sure that we examine as closely as possible any piece of legislation that's under consideration that we think we want to respond to so there's clarity about the expectation isn't just, yes, we support it or we don't support it but that there may be particular features in any legislation that's emerging around which we want to communicate our position and thinking.

So I'm hearing a relative consensus around the argument for maintaining 15 versus nine, and the rationale for that will be in the transcript. I think that makes perfect sense.

I'm not sure that we have consensus on the appointment moving from a Presidential appointment to one by the Secretary of Education, but what we may want to do is to create a statement about the sort of pros and cons of either form of appointment with particular emphasis on the representation, the diversity of representation, and in so doing, the committee could look at the categories, as Mark has indicated, that are

already, you know, represented to determine whether or not we think that's appropriate or there should be some, you know, additional considerations of categories of representation.

What we have not had any more discussion on is the question of the NCES -- I'm still working with all your acronyms here -- appointment being made by the director versus the White House, and I don't think it's inappropriate for us to have a position.

DR. DARLING-HAMMOND: Well, I will maybe speak for some in the both statistical and research communities who are strongly in favor of maintaining the Presidential appointment for NCES commissioner. I'm worried that the stability and status of the statistical enterprise would be harmed if it were changed to a director appointment, and I know there's a lot of activity going on to make that point of view clear to the Congress from folks in those associations.

DR. LEE: So is part of the logic about a unique sort of status and function, if you will, that NCES has that's different from the other centers within the IES purview?

DR. DARLING-HAMMOND: Well, yeah. One part of the argument is that, you know, when the -- I'm sorry.

I hear somebody else was about to chime in. Let me just get one sentence out and I'll pass the ball.

One of the first reasons for any federal role in education was statistical, was to maintain the information that is needed about the educational system.

So it is a particular -- we rely on it in a particular way more than the coming and going of other centers or labs or other components.

Somebody else was about to speak. I'm sorry we bumped into each other.

DR. LEE: Actually, it was me.

DR. DARLING-HAMMOND: Oh.

DR. LEE: And it was similar to what you just said, and that is the sense of its relationship to other statistical agencies of the government having a function that seems to me to be a little different than the nature of the other centers funding research --

DR. DARLING-HAMMOND: And in a way, it's sort of like the Census and other things we do that, you know, allow us to know what is going on in the world on a regular

and reliable way on which we build a lot of other policy, and so the importance of that infrastructure is part of the argument, I think.

DR. HARPER: Linda, I think that's very helpful. I guess I wanted to first respond to the question of the Presidential appointment. Does it matter who the President is? I mean, I think we've seen in recent years perhaps the up and down with the valuing of science and knowledge. I wonder about that.

And then, secondly, I am persuaded by your point about I imagine my interpretation as being at the table with the other, you know, statistical agencies. I think that's important. So would that be totally lost if this group were a Secretarial versus a White House appointment?

DR. DARLING-HAMMOND: I was not speaking to this group. I was speaking to the appointment of the NCES commissioner.

DR. HARPER: Oh, the Commissioner. Got it.

DR. DARLING-HAMMOND: Yeah.

DR. HARPER: Sorry. Sorry.

DR. LEE: But I will say in terms of the way

in which who's in the Presidential office impacts all of this work because the President's going to appoint the Secretary of Education. So whoever the Secretary is going to be following, if you will, the sort of lead and philosophical orientation of the President. So that aspect of it, I think, won't matter in terms of whether it's Presidential or Secretarial appointment for NBES board members.

Dana?

MR. HILLIARD: Carol, you made my statement.

I think both of us, we can both agree that we've experienced both sides of the spectrum with both a President and a Secretary of Education. That could, you know, completely change the dynamics of this Board, so well said.

DR. LEE: Hiro?

DR. YOSHIKAWA: Can I just clarify? I think, for the NCES commissioner, the question has been whether it's a Presidential appointment or a director of IES appointment.

DR. LEE: Correct.

DR. YOSHIKAWA: Not Secretarial versus

President, right? Just want to clarify that that's --

DR. LEE: Correct.

DR. DARLING-HAMMOND: That's correct.

DR. LEE: Correct.

DR. YOSHIKAWA: That's the conflict on which we're currently -- that we're talking about, right, and that what's in the language proposed right now is that it would shift to the director? Is that what's in the language right now? Sorry. I didn't do my speed reading.

DR. LEE: That's correct.

DR. SCHNEIDER: Correct, do we change it from a Presidential to a director's appointment. Correct.

DR. DARLING-HAMMOND: And I --

DR. LEE: Peggy? I'm sorry.

DR. DARLING-HAMMOND: Go right ahead.

DR. LEE: Linda, were you going to respond to Hiro?

DR. DARLING-HAMMOND: No, I think we got that clarified, so --

DR. LEE: Yeah. All right. Peggy?

DR. CARR: I was just going to point out that

the term that I'm in is a six-year appointment for a reason so that it transcends administrations. And that is the case for Mark's appointment as well. Mark can speak for himself.

And Mark and I are from different administrations. I mean, he's from the Trump Administration; I'm from the Biden Administration. But therein lies the reason why six years work. I will stay in this position even if the Democrats don't win. And Mark has been in this position even though the Republicans are no longer in office. And that's the way I think it remains independent and the autonomy is protected.

But, if the IES director is allowed, appointed by whoever, to also appoint the NCES commissioner, there in the value of having independence goes -- or the autonomy then is at greater risk. Mark should jump in.

He knows this as well as I. We've both been around this rodeo quite a bit here, but that is the reason why I believe it is set up the way that it is. So changing it would threaten that independence.

DR. SCHNEIDER: So just to note, every commissioner has a secure appointment for the exact same

reason that Peggy just noted, so that it's trying to insulate the IES from the vagaries of Presidential appointments and changing political. So the six-year term is for every commissioner.

So the reason -- so we have beaten around, like -- okay, so the independence is critically important. But remember, IES is an independent science agency and we have all kinds of protections also, so it's not like we're throwing NCES into OPPD, the policy wing of the department, which would be terrible. But the relationship between a statistical agency and a science agency is actually rather -- it can be rather challenging, shall we say.

The problem in the existing relationship is the lines of authority and the lines of reporting, which are pretty well deep into the ESRA, are difficult and that's fundamentally -- I recommending the changing of the appointment from Secretary to -- I'm sorry, from Presidential to director is really in terms of helping this organization move forward in a more united way. So that's my position on this. And remember, I was both NCES commissioner and IES director, the only person on

this entire planet who served in both of these positions.

So my view -- when I was in Peggy's position, I would have fought like crazy to keep the -- I did -- to keep the Presidential appointee. I think I was the last Senate-confirmed commissioner.

But looking from after six years of managing the science agency, of which NCES is a part, but so is NCEE and so is NCER and so is NCSER, and NCEE has all kinds of authorities and responsibilities based on the Evidence Act. And, I mean, by some level, we could just say -- and there is a whole evidence community and evaluation community and that is the commissioner of the evaluation officer, which also has status in the Evidence Act. So, I mean, on one level, we could say, well, he should be a Presidential appointee and entitled to all the protections, the protections that supposedly go with NCES.

Anyway, I mean, look, we can talk about this forever. We have talked about this forever. There's just an internal disagreement and I'm just telling you that, you know, as you wade into this thing you should be careful about the degrees that this is being played

out or the different fields this is being played out in.

DR. LEE: So what is the downside of our weighing in?

DR. SCHNEIDER: Oh, I mean, look, you have the freedom and the opportunity to weigh in and you should do what you want. I'm just telling you that it's not a simple world. It's a politically charged world. I mean, there are people weighing in all the time. So I'm not dissuading you. I'm just saying that this is a complicated issue.

DR. LEE: As is everything we're dealing with, to be sure.

Peggy and then Caroline.

DR. CARR: Well, I think there's a lot of pros of what Mark is saying about a scientific agency, and, in fact, I think OMB has taken to heart that argument that when a statistical agency is embedded in a science agency that it does give you reason for pause.

But there are pros and there are also cons. So we talked about NPSAS yesterday and whether NPSAS should have been stopped or not stopped. I'm not sure. I wasn't in this position at the time. I'm not sure

that would have been the position I would have taken. Perhaps I would have considered other factors. Not that it wasn't important to balance priorities with budgets, but I'm not sure I would have landed in the same space, and that is, I think, what we are trying to protect.

The opinion of whoever's in this position should be the opinion that is paramount when decisions are made about statistics, about what should be collected, when it should be collected, what the priorities should be with input from stakeholders clearly. So there are pros and cons, and as you consider what your position is, I would strongly encourage you to consider both of these points.

DR. LEE: Caroline and then Hiro. You're on mute, Caroline.

MS. SULLIVAN: On this proposal, Mark, would the appointments that you're -- would they be concurrent or would it be staggered, right, because I would think you would not want both positions to be on the same cycle, right? I mean, I would think the whole point of being independent and trying to stay away from politics, if you did it that way, you wouldn't get that. You wouldn't

get that sort of diversity of thought maybe.

DR. SCHNEIDER: So the only person -- when I showed up, the NCER Commissioner was NP and NCES was filled. NCE was empty, right? So I appointed those two commissioners, right, and NCSER was occupied and that was -- I don't know if you -- Joan McLaughlin was the Commissioner for NCSER, and she was doing a fine job and she stayed until she retired.

MS. SULLIVAN: Well, now my question is, if this is going to change from both Presidential appointments, I think there needs to be some guidance on when those appointments are made because -- you know, versus just -- I mean, I think, if this is going to be a change, which, you know, to what Peggy was saying is impactful, I think we have to think through if it is the will of the Board to make this change how those --

DR. SCHNEIDER: It's the will of the Board to recommend --

MS. SULLIVAN: -- how that works.

DR. SCHNEIDER: Right. It's a recommendation. You're not making the change just to be clear. So --

MS. SULLIVAN: But, I mean, you know, if we're going to communicate with the committee that's doing the reauthorization, I think it would be good to give them our ideas about guidance on how this would work.

DR. SCHNEIDER: Yeah. Look, I mean, so all I can tell you again -- and I'm just repeating -- when the open seats were appointed by me, the commissioners that were in place stayed in place. I mean, so I don't think -- look, I mean, it all depends on --

MS. SULLIVAN: No, I'm just talking about six-year terms, not about whether when there's a change in the director do you do that. I was just wondering, you know, how like in boards oftentimes, you know, people are serving different lengths at different times. That's what I'm trying to say.

DR. SCHNEIDER: Right, but --

MS. SULLIVAN: It has nothing to do with whether the Commission -- whether the director can fire people or not. It has to do with are they going to be appointed together, right? So the President appoints a director and then would the direct -- for six years and then would -- you see what I'm saying? Because are

we going to start with Peggy's term?

DR. ALBRO: NCES has a term-limited appointment that starts in January of -- or, I'm sorry, in June of a year and then goes for six years.

MS. SULLIVAN: Right.

DR. ALBRO: So Peggy is one of the very first people who started her term in June of 2021, and then it goes through June of 2027 regardless of who the director is.

DR. SCHNEIDER: Correct. And that is actually the practice with all the other commissioners. They get their six-year appointments. In contrast to Peggy, they don't have a start date and an end date. So, when I became commissioner of NCES in 2004 I think it was, my term had three years remaining and that's what I got. I got a three-year term.

MS. SULLIVAN: Right.

DR. SCHNEIDER: Right? So that is -- BLS has the same thing, but most other statistical agencies don't have that fixed term start on day one, end on day plus six, right.

MS. SULLIVAN: So it's more like Senate

appointments when there's a vacancy in the Senate versus some of the other boards where it is you get six years when you start. Correct. Thank you. Sorry for the --

DR. SCHNEIDER: Right. And --

MS. SULLIVAN: But I think we needed clarification on that because I think that has to do with consistency and if you're trying to get politics out of it that that would have repercussions.

DR. LEE: Elmer. I think you're on mute, Elmer.

MR. GUY: Thank you. I was just saying the Presidential appointment I think is very crucial, that we should maintain that. To me, there's no guarantee that the Secretary will make appointments any sooner. I've seen Secretaries where they did not make appointments readily. And perhaps a recommendation could be that the appointments could be expedited. And I think, when a vacancy occurs, the Board, this Board, should make that recommendation to the President that those vacancies be filled. Maybe that's what our recommendation should be. That's what I was just kind of thinking. Thank you.

DR. LEE: So I think what I'm hearing is our

recommendation to the Policy Committee, one would be to meet immediately. And I think it would be helpful to find out today -- I'm assuming that Conchita and Stephen want to remain and that Linda has indicated her willingness to work with that committee and to find out if there are any other members who would want to work with them, because their work right now is going to be the most immediate in terms of the turnaround, and that you all would create a draft of a statement that will come back to the Board.

One challenge here is going to be -- how much lead time do we need for public meetings in terms of the notice?

MS. PELAEZ: This is Ellie. Fifteen days.

DR. DARLING-HAMMOND: And do you have to post the substance of what you're going to discuss or just the topic? In other words, if we --

MS. PELAEZ: I think it's just the topic, the agenda. Yeah.

DR. DARLING-HAMMOND: If we knew that 15 days from today or tomorrow -- I guess, from tomorrow, we wanted to meet, we could post that tomorrow and then have

a conversation that was --

MS. PELAEZ: I don't think it could get out that fast, Linda. There's an internal review process and it has to go over to the Federal Register, so --

DR. DARLING-HAMMOND: So the timing of the subcommittee, I mean, it could get held up, but right now it's much faster than that. Nonetheless, you know, we probably ought to figure out how to post something and have the conversation and bring some recommendations back quickly.

DR. LEE: So, in terms of the agent -- the process, because the craziness of that process is why we didn't meet back in November, two things. One, I think it will be helpful in the general scheme of things to create a standing rotation for our meetings and we also have standing topical areas in terms of Board reports, blah, blah, blah, that are sufficiently generic that we could just get this out without having to run through this every month, you know, jumping through hoops to announce a meeting.

As a way of generally moving forward, for the purpose of this, I'm assuming that the recommendation

that would come from the Policy Committee would, in fact, need to be publicly approved in a Board meeting because of the consequence of it, right? Go ahead, Linda.

DR. DARLING-HAMMOND: Just ask a question on process. We're talking about the very consensual area about our views -- our shared views of maintaining a 15-person board. Mark made the point that we should get that written down and over to the committee ASAP. So there must be some way that we can make a judgment about something like that today and then act on it, rather than having to schedule another meeting and go through another set of hoops. So maybe we could get some guidance on that.

DR. LEE: So I think that's certainly something that we can make the decision on today. I think we could also decide -- part of what I'm hearing -- and you correct me if I'm wrong -- that around the two other questions, that is, the appointment of NBES members either by the Secretary of Education or the White House and the question of the appointment of the director of NCES by either the President, the White House or the IES director, that we could, in pulling from the

transcript, create a document that identifies what we see as the pros and cons of each decision which we, in fact, have discussed today, that would be reflected in the -- you know what I mean, in the transcript that the Policy Committee could create such that we could then create the document that we would approve in terms of the sort of focus and content of it to be able to share that with the health --

DR. DARLING-HAMMOND: The health committee, yeah.

DR. LEE: Senator Sanders' committee.

So I think there are two ways to move. That would be one way, which would allow us to move in a timely manner in the next week to get some statement out from the Board and a decision that we could make today relative to that.

And the other would be -- I'm newer to all of this probably than anybody on this Board, so it's quite ironic I would end up being the Chair. But it has been helpful to me in being able to have conversations with the White House staff-person who's weighed in as we, you know, work through challenges of indicating that we need

to be able to make a fast move if we needed to come back to meet to vote. And I'm sure that there's some mechanisms within the White House to facilitate whatever the hoops we have to jump through to get the announcement publicly made.

Conchita?

MS. HERNANDEZ LEGORRETA: I don't know if this is within our purview, but considering kind of the time we had at the end of the meeting yesterday, would it be within our purview to use this meeting when we've dealt with everything else or anything else that we need to deal with to finalize what this document is so that we don't have to meet again and don't have to put it out.

Stephen and I, we've been, like, taking notes and we have, like, a little template going. So would it be within the purview to do that? And I don't know how, you know, based on what was shared on the agenda, so if there's some guidance on, is that something we can do to get it out as soon as possible?

DR. LEE: We certainly could do it because the reporting of the Policy Committee is on the agenda, so

absolutely. That actually makes sense. We actually have hours left to meet.

Hiro?

DR. YOSHIKAWA: Yeah, I was thinking further we could -- just a friendly amendment to what you proposed, Carol, is that we could if -- I think all three of these decisions are kind of binary, right, so rather than actually going through a document that raises the pros and cons of each side, if these are simple votes that would shorten the process, it feels like if there are simply three positions on the language which have to do with the number of members of the NBES, how the NBES is appointed and how the director of NCES is appointed, then it doesn't seem like we need to actually describe all the pros and cons, which would be a lot of work. Might take up the rest of three-and-a-half hours, but yeah. So, if it's a simpler -- we simply want to come to a decision on these three, I would suggest we just maybe call each of those to a vote after we feel like everyone's had the chance to express their opinion or ask any last questions. We've had a pretty good discussion, and then we could just go to making those

recommendations and that would be very simple language to pass on to the committee.

DR. DARLING-HAMMOND: I think that makes a lot of sense. I was wondering about that myself, whether we could just figure out how to have a vote and then we will have a position and then we can write it up.

DR. LEE: Sounds great. Great.

Dana?

MR. HILLIARD: I would agree with Hiro. I think we have consensus on at least one, which is the size of the membership, and I'm happy to make that motion if need be, and I think we can at least remove that item from the agenda.

The other two I think we're still navigating our way through a little bit. I don't know if we have quite reached a comfort level, but we know we're not going to have consensus in everything, although I'm a big consensus guy. I love battling through the weeds to reach consensus, but I like the game of getting there too. So just shoot me now if we're getting in the weeds too much because I'm a go-through-the-weeds guy.

DR. LEE: Well, I think that makes sense. I

think, if we can have three different motions on the three different questions, I agree on the first one. I think we will have total consensus and to see what the vote -- the split of the vote may look like on the other two, and that can inform whether we've either taken a position or not or whether we need to go through a process of just trying to construct an argument. We could, you know, put up a little Google thing to share and to actually just create the language ourselves right now if it turns out we need to do the pro and con on the others.

Linda?

DR. DARLING-HAMMOND: I wonder, was Conchita in front of me or -- it looked like her hand was up sooner than mine. No? Okay. Did you intend for your hand to be up? I just figured out to work that, and it just --

MS. LEGORETTA: That's okay.

DR. DARLING-HAMMOND: So I think it would be good to start with the size of the committee. We have a lot of consensus on that. Have a discussion about each of the others.

If we don't have an emerging consensus, I'm not sure it's going to be helpful to have a vote that,

you know, just communicates that we are -- you know, certainly, we don't have a lot of time to really dig into these issues, so I think our best bet is to weigh in where we develop a consensus and communicate that consensus to the committee, acknowledging that -- I mean, we might want to take a vote if it sounds like maybe there's an emerging consensus. But, if we're, like, feeling like we just don't have enough information, then I don't want to -- I don't know that people need to be forced to take a vote if they're feeling like they just would have needed more time and input. But I like the process that Hiro laid out, and I think we could decide which are the places where we have enough consensus to vote and communicate --

DR. LEE: I think the value of voting on all three questions is to determine on the last two --

DR. DARLING-HAMMOND: Whether there is --

DR. LEE: -- how much consensus there is or are we actually very evenly divided, in which case we can decide either we won't weigh in at all --

DR. DARLING-HAMMOND: Mm-hum.

DR. LEE: -- or we may try to just capture the -- just at this point it would be sufficient, even

in bullet points, about, again, the pros and cons on either.

DR. DARLING-HAMMOND: Having worked with a lot of people in the Congress, they'll typically prefer a decision to a list of pros and cons.

DR. LEE: Well, you know, the issue I think is that these are not simple questions at all.

DR. DARLING-HAMMOND: They're not simple questions. That is right.

DR. LEE: And, therefore, even if they don't listen, it seems to me there's some value in articulating what the pros and cons and the opportunities and constraints of a position on either side of the question might be, even if they ignore us, which they probably will.

DR. DARLING-HAMMOND: I see that Dana's got his hand up and then Mark.

DR. LEE: Mark?

DR. DARLING-HAMMOND: I'll get mine down.

DR. SCHNEIDER: Okay. So we --

DR. LEE: Dana?

DR. SCHNEIDER: Dana, you want your hand down

or did you want to say something?

MR. HILLIARD: No, I'm good. I'm sorry. I must have pushed the wrong button, so I'm good. Thank you.

DR. SCHNEIDER: All right. So somehow we've ended up talking about these three things. But Linda at the very beginning had another thing that was critically important, and that's the definition of "evidence." So there's a paragraph in the proposed legislation that says what evidence is, and there's a giant internal fight about trying to get that clarified.

So, for example, in one paragraph, it talks about statistical significance, which the researchers among us know that that is an ongoing and evolving debate and to solidify or -- what's the right word -- I guess solidify the words "statistical significance" in legislation from our perspective is dangerous because it locks us into P equals .05 and a hundred-year-old -- more than a hundred-year-old now standard that most people are abandoning.

There is a strong endorsement of RCTs in it, and it talks about the levels of evidence in trying to

tie this IES to Every Student Succeeds Act, and that whole paragraph is worth consideration. I don't know if you have the time or the energy to do this, but there is a big effort to either change that definition or strike the entire paragraph.

It's an extremely dangerous paragraph for IES and it would affect work that, for example, the research centers support. And so that paragraph is dangerous and there is a considerable effort -- this goes right to the heart of what IES is about, and, therefore, it affects the way the Board should think.

The last one, which seems to have disappeared, and Linda didn't mention this, but there has been an enormous push over the last year and a half to create an -- I mentioned this yesterday -- ARPA Ed. And the health committee dropped it, but it's not dead yet. There's still some windows to come, and for me, ARPA Ed has always been NCADE, the National Center of Advanced Development Education, has always been one of the highest priorities and it's been one of the highest priorities for the Department and, when we get their attention, often the White House.

So this is an opportunity to modernize IES as a force in the -- a major force in the education sciences R&D world, and it would be consistent with the ARPA -- the movement towards developing ARPAs in other agencies. But the Department -- I'm sorry -- the Committee has chosen not to pursue it.

So the Department -- IES, the Department, others are trying to get NCADE back onto the discussion in ESRA. Whether or not that succeeds, we don't know.

There's some backup plans, for example, to create instead of ARPA Ed as a separate center to create a designated program of innovative work in IES. It would be a program that could get a separate appropriation as compared to a center, which could also have its own appropriation.

But I don't want you to neglect the possibility or the importance of having an ARPA Ed. That's number one.

Number two, on your list of legislations, I'm expanding it beyond ESRA, so I mentioned yesterday in the House there's the NEED Act by Bonamici and Fitzpatrick. That would create NCADE. That's in the House, not in the Senate. It's not been introduced in the Senate yet, but, I mean, one possible thing that could

happen is that the provisions of the NEED Act could just be picked up and put into ESRA in joint conference committee.

Well, but anyway, but I think you need to know more about the NEED Act because that's critically important to the function of IES and the future of IES.

And I mentioned a couple times yesterday about the importance of SLDS, the State Longitudinal Data Systems.

So the NEED Act has two titles in it. The first one would create NCADE and the second one would be to redefine and increase the role of SLDS, the State Longitudinal Data System, to make it -- it too is an old system that needs to be revisited. So we need SLDS V2 and we need hundreds of millions of dollars ultimately that would go to the states to help them build a more modern data structure.

So, again, those are further out, but they're not infinitely further out. And I just wanted -- I mean, NCADE, for example, could be in the same list of your three things, right? I mean, it's complicated. There's a lot of background information on this. I've written about it many times.

But I don't want you -- I mean, like you -- if you can get the three done, that's plenty of work, but I'm just putting on your agenda, on your horizon, NCADE, NEED Act, SLDS as critically important things. And I don't know if you have the bandwidth to look at the evidence definition and weigh in on that, but that is really important.

DR. DARLING-HAMMOND: Yeah, that --

DR. GANDARA: Can you provide us the House number for the NEED Act if you have it off the top of your head?

DR. SCHNEIDER: I'm sorry, excuse me?

DR. GANDARA: Oh, can you provide the House number for the NEED Act if you have it off the top of your head?

DR. SCHNEIDER: I don't have it on the top of my head.

DR. GANDARA: Okay. I'll look it up. No worries.

DR. LEE: Okay. Linda and then Denisa.

DR. DARLING-HAMMOND: Yeah. I was just going to say that I do agree on the definition of

"evidence-based" being problematic and that if we -- I don't know if it's an easy enough thing to talk about today because it sounds like our strategy for the first input on ESRA would be to see what we can determine today and then communicate right away.

The NEED Act, if we get ourselves on a regular meeting schedule and we have our policy committee, we could start to work on that question perhaps after today or begin to talk about it today but not try to make decisions about it today. I think that seems like a lot to do in the little bit of time we have, but it would be good.

And I think somebody was good enough. Otto put the definition of "evidence-based" in the chat so everybody can see it. You know, it shows how little understanding of the world of research the Congress can easily have when it says something like a single study with a statistically significant PO 5 effect. And then there's some language about capable of causal inference.

That will cause people to have a debate about what that will mean, particularly RCTs, et cetera.

So I wonder what the impact of simply referring

or recommending that that paragraph be dropped would be, but I do think that it would be good to weigh in on the problematics and the constraints that could be posed by a fairly simplistic definition.

DR. SCHNEIDER: So the best strategy is the removal of it, but whether or not we can get that totally removed, you know, I mean, that's a political issue.

DR. DARLING-HAMMOND: And then there would be the question if the judgment is no, we can't remove it, then there'll be a lot of back-and-forth about what it should be and so on. I'm not sure whether we can get to alternative language. But I do agree with you, Mark, that it would be good for us if we can settle those first issues to get to this one also because it is very important.

DR. SCHNEIDER: But, actually, I think the definition of "evidence-based" is actually critical. I mean, it may be the most critical thing for this Board to address actually.

DR. DARLING-HAMMOND: Yeah. It's important. I totally agree.

DR. LEE: Well, I agree. I think that we

should because this -- all the big issues related to this reauthorization that we think we need to address in some way, I think we should try to do it in one statement because the timing in responding to this question about what constitutes evidence-based research is within the same time frame as the other three questions that we were raising.

So I do agree that we should weigh in on those and that there may be some -- I'm assuming that there are other groups that are responding to this question, particularly groups, organizations of statisticians that may have statements or documents that we could somehow draw from, including their support of such statements being, you know, warnings for why to pay attention, so --

DR. SCHNEIDER: Linda made reference -- I'm sorry. Excuse me. Linda made reference to other groups that are also equally upset about this definition.

DR. LEE: Right. Right. So I've got Linda, Denisa, and Hiro.

DR. DARLING-HAMMOND: Oh, I just need to take my hand down for now.

DR. LEE: Okay. Denisa? You're on mute,

dear. You're on mute.

DR. SCHNEIDER: She's really not.

DR. LEE: You're still on mute.

DR. DARLING-HAMMOND: Try saying something.

I guess she still is on mute. Yeah. Why don't we go to Hiro and come back to Denisa.

DR. LEE: Hiro, and then, Denisa, we'll come back while you're working through.

DR. YOSHIKAWA: Okay. So I like the idea of perhaps first possibly moving to a vote on whether to strike the paragraph, and then it might be a longer process if there's any kind of process that will address other language.

But I did want to check in on, you know, how the phrase "evidence-based" is used elsewhere in the language. I imagine that might not be that it's probably coming up in multiple parts of the language. But it does seem to me that that paragraph is actually harmful, so it's not just about something that is kind of neutral and we might have an opinion on wording but that it may be important to try to first vote to strike that language entirely, that paragraph. And then, if there's a longer

process on alternative wording, we could be involved, but maybe that's the work of the Policy Committee, but it feels pretty urgent.

If there is a consensus that that is a paragraph that actually causes more harm than good, then that's probably worth a vote in and of itself.

DR. SCHNEIDER: So, Matt, do you want to add -- I'm sorry, Hiro.

So Matt is the evidence guru in IES. I don't know if you want to add anything to this.

DR. SOLDNER: Just by way of information because that's what our role is, to give you information on which to make the possible decision, right.

So that phrase, "evidence-based" appears throughout the bill, with the exception of the part of the bill that deals with NCES. It does not appear there but affects all other parts of IES. There are related definitions in the Act or the proposed legislation that might be relevant for you to consider. So, if you have access to the redline that Linda shared, there's some longstanding language there about scientifically valid research which may be of interest to you. That's what

I think I'd say for now.

DR. LEE: And is that language consistent with this paragraph?

DR. SOLDNER: Scientifically valid research, the definition proposed is much broader than the language in the evidence-based definition. And a version of it appears in ESRA and has been guiding our work for 20-plus years.

DR. LEE: All right. Denisa, you back on?

DR. GANDARA: I don't know. Can you hear me now?

DR. LEE: Yes, we can.

DR. GANDARA: Oh, good. I just wanted to share I'm also deeply troubled by the definition of "evidence-based," and I wonder if we could maybe take 10 or 15 minutes just to review the language of the proposed legislation. I also worry that if we wait on the Policy Committee to be able to meet, then we'll be too late in making recommendations. But I also don't want us to just arbitrarily select the top topics to address in our letter just based on what's been brought up. So I personally would like to see what else is in

the bill. And one of the issues that's come up that I think is critically important is this definition of "evidence-based."

And just one other note is that we did receive a letter from public comments from an association called, I think, the Alliance For Learning Innovation, and they did also have a list of legislative updates that they wanted us to address, and one of them was NCADE or ARPA Ed, so I just wanted to note that also in response to Mark's comment.

DR. LEE: So just for clarity on that purpose in terms of what we can address today versus the Policy Committee working and we're having another meeting in another month probably at this point is that those latter two issues, because they're not directly in the act of reauthorization issues that are coming up, that we have a little more time to address those. Is that correct, Denisa?

MS. GANDARA: Well, the two issues are NCADE/ARPA Ed. That's one. That's the same one. And then I guess that's the only one that's not in the legislation currently. But the "evidence-based"

definition is something that is in there that we could address.

DR. LEE: So I'm thinking again in terms of efficiency that it seems like there are four questions that we can take a vote on to get a sense of the Board that could inform on a statement that we could vote on and agree to today, which would not preclude the Policy Committee from further digging down in more detail with what's emerging to allow us at a later date. But I worry that if we wait things are going to move and we won't have any opportunity to weigh in.

DR. GANDARA: I see. I see what you're saying, Carol. So the other issue, I guess, is SLDS, right, was the other issue Mark brought up, so those are the two that could be discussed in the policy committee and not in this letter that we're drafting today, is that right?

DR. LEE: Right.

So I'm going to recommend in terms of moving forward at this point that we solicit motions on the four topic areas individually just to get a sense of where we have consensus and where we don't. And for the areas

where we may still not have consensus, that we could have some discussion and maybe if Ellie or someone can, you know, post up a document that we could actually be sort of filling in the details in at this meeting to inform what we see as the pros and cons, opportunities and constraints on those topical areas that we don't have full consensus on.

MS. HERNANDEZ LEGORRETA: This is Conchita. Real quick, I have started drafting a document, just what everyone has been saying to be edited. So, if we agree on a vote, then I can share that with everybody.

DR. LEE: Wonderful. Bless you.

All right. So can we first get a motion to approve a recommendation that the ESRA reauthorization include maintaining the 15-member NBES board? Shaun?

DR. HARPER: I would like to move that.

DR. FUCHS: Second.

DR. LEE: Great. I think on all of these we should call the roll, Ellie.

MS. PELAEZ: Okay. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Agree.

MS. PELAEZ: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: Aye.

MS. PELAEZ: Dr. Gandara?

DR. GANDARA: Yea.

MS. PELAEZ: Mr. Guy?

(No response.)

DR. LEE: He was -- oh. Elmer?

DR. HARPER: Looks like his room is empty.

MS. PELAEZ: Maybe he stepped out. I can come
back.

Dr. Harper?

DR. HARPER: Yea.

MS. PELAEZ: Mr. Hilliard?

MR. HILLIARD: Yea

MS. PELAEZ: Dr. Klasko?

DR. KLASKO: Yea.

MS. PELAEZ: Dr. Lee?

DR. LEE: Yes.

MS. PELAEZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: Yes.

MS. PELAEZ: Dr. Scott?

DR. SCOTT: Aye.

MS. PELAEZ: Ms. Sullivan?

MS. SULLIVAN: Aye.

MS. PELAEZ: Dr. Yoshikawa?

DR. YOSHIKAWA: Yes.

MS. PELAEZ: Mr. Guy?

(No response.)

MS. PELAEZ: He doesn't -- it still looks like
he's --

DR. LEE: He's still doing what?

MS. PELAEZ: -- waiting for his computer maybe.

So I have 11 yeas.

DR. LEE: So passed.

MR. GUY: So the Board is on mute.

MS. PELAEZ: Hi, Mr. Guy. Did you --

DR. LEE: Is that Elmer?

MR. GUY: This is Elmer Guy.

MS. PELAEZ: Yeah, mm-hmm.

DR. LEE: So we'll re-vote?

MS. PELAEZ: Carol, do you want to read the
votes?

DR. LEE: We're voting on the question of
recommending that the NBES Board remain at 15 rather than
being reduced to nine. So we're asking you to vote,

yes/no or abstain.

(No response.)

DR. LEE: Elmer, Elmer, where are you?

MR. GUY: I don't have -- I'm in the -- I agree.

Thank you.

DR. LEE: Great. All right.

MS. PELAEZ: Agree. Okay.

DR. LEE: Yes.

MS. PALEAZ: That was 12. That was unanimous.

DR. LEE: The second question is of the appointment of the NBES members by -- I'm going to say by the President's office. I don't know if we want to do it this way. Can we just go -- procedurally this may not work -- but to indicate that you either approve of the appointment by the Secretary of Education or the President, and we'll see what that tally comes out to be rather --

DR. DARLING-HAMMOND: Do you just want to go around and ask people to state that? Is that what you're asking?

DR. LEE: Yes. So, Ellie, again, if you'd just call the roll and just ask, are you in favor of the

appointment of NBES Board members by the Secretary of Education or by the White House, or you can abstain.

You don't have a position either way.

MS. PALEAZ: Okay. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Secretary.

MS. PELAEZ: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: I would withhold an opinion at this point. I'm still deliberating.

MS. PALEAZ: Okay. Dr. Gandara?

DR. GANDARA: I would abstain also.

MS. PALEAZ: Okay. Mr. Guy?

MR. GUY: I support maintain the Presidential appointment.

MS. PALEAZ: Okay. Dr. Harper?

DR. HARPER: I am also going to abstain at this time.

MS. PALEAZ: Mr. Hilliard?

MR. HILLIARD: Until I am convinced otherwise, I believe the current structure works.

MS. PALEAZ: Dr. Klasko?

DR. KLASKO: Presidential appointment.

MS. PALEAZ: Dr. Lee?

DR. LEE: Presidential appointment.

MS. PALEAZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: President.

MS. PALEAZ: Dr. Scott?

DR. SCOTT: Presidential.

MS. PALEAZ: Ms. Sullivan?

MS. SULLIVAN: Presidential.

MS. PALEAZ: Dr. Yoshikawa?

DR. YOSHIKAWA: I think I'll abstain.

DR. DARLING-HAMMOND: Now I suggest we go back around and see if anybody else wants to add a thought.

MS. PALEAZ: Okay.

DR. DARLING-HAMMOND: I say that because I'm now prepared having heard from others to --

MS. PALEAZ: Oh, okay.

DR. DARLING-HAMMOND: -- add to the consensus.

MS. PALEAZ: Okay. Okay. Dr. --

DR. DARLING-HAMMOND: -- for Presidential -- to Presidential.

MS. PALEAZ: Dr. Darling-Hammond? Okay.

DR. DARLING-HAMMOND: I would --

MS. PALEAZ: Doctor --

DR. LEE: You're changing -- Linda, you're changing your vote?

DR. DARLING-HAMMOND: Yeah, I'm saying I'm now prepared to weigh in for Presidential appointment.

DR. LEE: Okay.

MS. PALEAZ: Dr. Gandara, you also abstained, right?

DR. GANDARA: Yes, I will abstain.

MS. PALEAZ: Still abstain. Okay. And anyone else who abstained who would like to -- Dr. Harper?

DR. HARPER: Yeah. Presidential.

MS. PALEAZ: Okay.

DR. LEE: All right. So we have one move to appoint by the Secretary, nine to maintain Presidential appointment, and two abstentions.

MS. PALEAZ: So we have a vote.

DR. LEE: So is that sufficient to make the recommendation that we maintain Presidential appointment? So is the question whether anyone --

DR. DARLING-HAMMOND: You want to do a formal motion and a second and then do an actual vote now that we've kind of done our polling?

DR. LEE: Yeah.

MR. HILLIARD: That makes sense.

DR. LEE: Right. And then the question would be -- and this will come up in the vote again as to whether anyone who voted to abstain or voted to move to Secretarial appointment feels so strongly against the recommendation for the Presidential. That'll kind of come out, but just to be in the back of the mind, we want to, I think, be sensitive to that. So can we get a motion to recommend that the appointment of NBES members be made by the White House?

DR. MILLER: So moved.

DR. FUCHS: Second.

DR. LEE: Stephen, you had your hand up there?

DR. KLASKO: I was just going to make a motion. I'm fine with that.

DR. LEE: Oh, great. Okay.

So, Ellie, you can call the roll.

MS. PALEAZ: Okay. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: You all have strongly changed my mind, so I will vote with everyone

else on Presidential as well.

MS. PALEAZ: Okay. Dr. Darling-Hammond?

DR. DARLING-HAMMOND: Aye.

MS. PALEAZ: Dr. Gandara?

DR. GANDARA: Abstain.

MS. PALEAZ: Mr. Guy?

MR. GUY: I vote yes.

MS. PALEAZ: Dr. Harper?

DR. HARPER: Yea.

MS. PALEAZ: Mr. Hilliard?

MR. HILLIARD: Yes.

MS. PALEAZ: Dr. Klasko?

DR. KLASKO: Yea.

MS. PALEAZ: Dr. Lee?

DR. LEE: Yes.

MS. PALEAZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: Yes.

MS. PALEAZ: Dr. Scott?

DR. SCOTT: Yes.

MS. PALEAZ: Ms. Sullivan?

MS. SULLIVAN: Aye.

MS. PALEAZ: Dr. Yoshikawa?

DR. YOSHIKAWA: Abstain.

MS. PALEAZ: Okay. We have 10 yeas and two abstentions.

DR. LEE: Okay. I think that's sufficient to move forward, unless the two abstentions have strong objections.

Then the third question is on the appointment of the NCES director by the White House or by the IES director. So I'm thinking maybe we could do the same thing, the same process that we did before, to take a poll and then create a vote. So if I can get a motion -- I'm sorry, it was not a motion. So we're just going through the roll and the question of whether the NCES director should be appointed by the office of the President or by the director of IES.

DR. SCHNEIDER: Carol, could you get the terminology right? It's the Commissioner of NCES, not the director of NCS.

DR. LEE: Sorry about that. Correct.

DR. DARLING-HAMMOND: How did you want to proceed?

DR. LEE: The same way, just to go through it.

Just take an initial poll and then on the basis of that poll determine what the motion will be.

Hiro, is your hand up?

DR. YOSHIKAWA: Yeah, I just wanted to ask a question and maybe -- yeah, which is it's about the lines of reporting. I'm not entirely clear who the Commissioner of NCES reports to right now. So it sounded like the directors of the other centers report to the director but that in this case Peggy does not. Is that right?

DR. SCHNEIDER: That -- no, Peggy, don't nod yes.

I mean, the problem with the existing legislation is that the lines of communication and authority and control are filled with gray areas that make extremely difficult governance and authority.

DR. DARLING-HAMMOND: But the point of the current structure is that the NCES commissioner is an independent -- it's an independent agency.

DR. SCHNEIDER: Well, I mean, if that is your position, then NCES should be moved out of IES and made an independent statistical agency reporting to the

Secretary.

DR. LOPEZ TURLEY: I'm still unsure about Hiro's question. So who does Peggy report to currently?

DR. SCHNEIDER: So that is the issue, right? So we've been trying to clarify that, and a lot of the words in the rewrite of the ESRA reauthorization are designed to clarify lines of authority and reporting.

DR. LEE: Peggy, do you want to --

DR. CARR: So there is a yes or no. Can I -- is it -- there -- there's a yes or no to that question. Technically, I report to the Secretary, and the Chief of Staff handles the correspondence and evaluation of this position.

Now whether Mark or IES or others want it differently is I think part of the discussion, but the factual answer is that my evaluation is done by the Secretary's office.

DR. LEE: Thank you.

DR. SCHNEIDER: I'm sorry, but that's a unique situation because you were SES. So that is -- I mean, I was -- yes. I was supposed to do your evaluation, and

I refused to do it and passed it off to the Secretary's office.

DR. CARR: Well, that's information.

DR. SCHNEIDER: Anyway, so the point is, obviously, there's a lot of internal debate. I mean, I think you'll take the pulse of the Board. I'm pretty sure what the outcome will be, but there is -- but the issue of lines of authority, lines of control, the extent to which we have an independent statistical agency inside an independent science agency has been for the last five years an extremely difficult situation.

And this had nothing to do with Peggy. I mean, the lines of communication with her predecessor was also difficult because the statute is really -- existing statutory authority and reporting is extremely complicated, filled with gray areas, and the purpose -- some of the changes in ESRA were designed to correct that.

DR. LEE: So, in the discussions that have been unfolding around this relative to this legislation, have they had explicit inputs from a variety of stakeholders in their process of negotiating at this point? I'm just

trying to --

DR. SCHNEIDER: Oh, absolutely. Absolutely. I mean, this has been -- I mean, they had an RFI out. They had weeks of open discussion. I'm not sure how many comments came in, you know, once they made public the fact that they were doing this. But the Committee's consulted with many, many people. Many, you know, organizations have put in input.

DR. DARLING-HAMMOND: On this point, I would say there are organizations that one would think might have been consulted that weren't and that are busy writing letters to the Committee, and those include the statistical association and the research associations, so, certainly, something I'm hearing a lot about. So it's --

DR. LEE: Well, I have --

DR. DARLING-HAMMOND: -- saying that the --

DR. LEE: Go ahead.

DR. DARLING-HAMMOND: Go ahead. No, go ahead, Carol.

DR. LEE: No, you go ahead.

DR. DARLING-HAMMOND: I would just say that

there is concern that sort of demoting NCES in the way that it is being read, there's concern in the statistical association ranks and others that it will reduce the independence of the agency and its capacity to do its work most effectively.

I understand that there are these bureaucratic confusions, and I appreciate Mark and Peggy giving us their inside sense on that, but there is also a set of perspectives that are circulating in the research community as well.

And I think, you know, the National Academy report that was on the vision and road map for education statistics a year ago really talked about the need to strengthen NCES, and the folks involved in that effort see this as a weakening of the agency rather than a strengthening.

DR. LEE: So I'm thinking -- and I know this is complicated -- that if this initial poll that we're taking, we're not taking a formal vote at this point, reveals that we have mixed opinions about this, that this would be an important area, even if we were able just to create with -- thank you, Conchita, taking the notes

right now -- from what we do know about the issues that are involved in those deliberations and some reference at least to the extent that we have the knowledge of stakeholders and organizations that are weighing in, as opposed to just saying if we're divided that we just ignore it altogether.

So any other discussion before we take -- again, this is not a vote. It's just a poll on the question of the NCES commissioner. Is that right, Mark, my terminology, of being appointed by either the White House or by the internal IES director?

(No response.)

DR. LEE: Okay, Ellie, you want to call the roll again? This is just a poll. So you're just saying IES director White House or abstain.

MS. PALEAZ: Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Abstain.

MS. PALEAZ: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: I would weigh in to maintain the appointment by the President and ensure that the ESRA language is strong enough around the capacity of the agency to do its work.

MS. PALEAZ: Dr. Gandara?

DR. GANDARA: I also support maintaining the appointment at the White House.

MS. PALEAZ: Mr. Guy?

MR. GUY: It's a complicated issue to me. I think I'll support the Presidential appointment on this.

MS. PALEAZ: Dr. Harper?

DR. HARPER: White House.

MS. PALEAZ: Mr. Hilliard?

MR. HILLIARD: I support maintaining the Presidential appointment.

MS. PALEAZ: Dr. Klasko?

DR. KLASKO: White House.

MS. PALEAZ: Dr. Lee?

DR. LEE: White House.

MS. PALEAZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: I don't feel like I understand the implications fully, so I will abstain.

MS. PALEAZ: Dr. Scott?

DR. SCOTT: Likewise.

DR. LEE: Likewise meaning abstain?

DR. SCOTT: Yes. I don't fully -- I'm not informed enough to make a decision one way or another.

DR. LEE: Okay.

MS. PALEAZ: Ms. Sullivan?

MS. SULLIVAN: White House.

MS. PALEAZ: Dr. Yoshikawa?

DR. YOSHIKAWA: White House.

MS. PALEAZ: That's it. We had nine for maintaining and three abstentions.

DR. LEE: So, again, we're in a slightly similar situation. Those who abstained, is there anything in the discussion so far that changes your mind or you want to hold your position around abstaining, which is fine? Just a question.

DR. LOPEZ TURLEY: I don't have a change of mind but rather just a follow-up question, and that is, so if I understand correctly, the Commissioner currently reports to the Secretary, but, of course, NCES organizationally, it's structured within IES, and so I'm trying to understand then why it's structured that way and yet it's a different line of reporting.

Yeah, because, you know, I direct an institute

here at Rice, you know, and I have several directors that report to me, and I'm trying to put myself in that position of, okay, how would that complicate things. Of course, that's how it's currently done. So would want to understand -- yeah, I'm still trying to understand I guess from an organizational structure standpoint why it needs to be different.

DR. LEE: So, again, I'm going to suggest what I think the argument is in terms of maintaining the Presidential appointment. I believe the argument is the standing and function of NCES as a statistical agency that happens to focus on issues of education but has a broader function in terms of the variety of agencies in the government that collect broader statistical data on issues that are important for the nation to understand.

And I think the argument is trying to understand NCES in relationship to other agencies of the government that fulfill a similar function.

Peggy, am I off in that as the logic?

DR. CARR: No, I think you're on board with it.

DR. SCHNEIDER: So my problem with that is

someone -- we have feedback somewhere -- so I would make the -- I could make the exact same argument with regard to NCEE, and, actually, to the extent to which NCER and NCSEER collaborate with other agencies across the government, I would make the same argument.

So I'm not sure that language is correct. NCES is a recognized federal statistical agency and does have different standing, but the fact of the matter is that the evaluation community has the same structure now. There is meetings of evaluation agencies, organizations within agencies. So I just want to be careful about this kind of centrifugal force that seems to be you're endorsing in that statement.

DR. CARR: So, if I could just weigh in, I don't think it is the same. I think that we need to recognize that recognized statistical agencies can lose their status from OMB if they do not fulfill their primary responsibilities under the Evidence Act. So there is a lot to be lost, a lot to be risked if there is not autonomy and the ability to implement the primary responsibilities, and that is not the same for the other centers. I don't see that parallel whatsoever.

DR. LEE: Any other thoughts?

DR. LOPEZ TURLEY: Yeah. Peggy, can you say a little bit more about that risk, about how that could happen, just to help me understand that because that does sound like a significant risk to me, but if you can explain maybe, like, a hypothetical example would help.

DR. CARR: Well, the current thinking of the White House is that there will be an evaluation periodically of recognized fiscal agencies -- there are only 13 in the government -- as to whether or not they are implementing the directives of OMB and now codified in the Evidence Act appropriately.

So we will risk as a department and a statistical community losing that status. It's not about just NCES. It's about the values, the principles, the responsibilities of the federal statistical system that the recognized statistical agencies are current of and must uphold. There are units as well, but there are only 13 recognized agencies and this is what I think is paramount to the value of the independence and autonomy as part of this larger system that they're asking us to adhere to.

DR. LEE: Ruth, is that helpful?

DR. LOPEZ TURLEY: Yes. Excuse me. Yes,
thank you.

DR. SCHNEIDER: Well, I'll just make one last statement. I mean, if we follow this argument, then what we should -- what the Board should be advocating for is the establishment of NCES as a separate agency reporting to the Secretary, which, by the way, if you read ESRA, the Commissioner of NCES does not report to the Secretary, so I don't know where that comes from.

But the fact of the matter is the lines of authority and control at the current time are a mess, and, again, I mean, following what Peggy's saying, then NCES should be -- you should recommend NCES as a separate entity reporting to the Secretary and not with staying inside IES.

DR. LEE: Peggy, you're --

DR. CARR: If I can just say --

DR. LEE: Yes, then Hiro.

DR. CARR: -- I would just sort of follow up that the whole basis -- one of the major goals of trust regulations, which is, again, the implementation of the

Evidence Act, is to codify the role of a parent agency, such as IES, and a recognized statistical agency. I mean, the statistical community recognizes that these agencies may be embedded in an organization and that that organization should be responsible for enabling and supporting the recognized statistical agency.

So it's not being ignored by the community, and there are lots of resources that need to be shared.

You know, statistical agencies can't always be in a position where they can have access to these resources.

It's okay to share these resources and to be supported by the parent agency. That's half of what the Trust Act talks about -- I'm sorry, the trust regulations talk about.

DR. DARLING-HAMMOND: Can we -- are we in a position to go ahead and do the vote and then take a comfort break?

DR. LEE: Right. Let's let Hiro and Denisa make comments, and then we'll go take a vote.

DR. DARLING-HAMMOND: I'm worried about our court reporter.

DR. LEE: Okay.

DR. DARLING-HAMMOND: Make it quick, Hiro.

DR. YOSHIKAWA: I'll be quick. Sorry. Wow, that's a lot of pressure.

I just want to say my understanding -- and this is, of course, just from kind of Peggy's own reports -- but my understanding from the global kind of perspective is that a responsibility of NCES, of course, is to report to the UN agencies around national education data. And I believe NCEE wouldn't have that kind of role or doesn't, right, to reporting to UNESCO on the country's education statistics, for example?

DR. DARLING-HAMMOND: It's one of many examples of the way in which it's somewhat unique.

I'd just like to say for efficiency, I think the first order of business was to get a decision on this question. Mark brought up the additional point that there may be other ways in which one wants to think about the role and governance of the agency, which we could take up afterward, after that, and after our court reporter's comfort break.

DR. LEE: All right. Denisa, and then we'll take the vote.

DR. GANDARA: I have a very brief comment. I'm just thinking about what Peggy reported on yesterday regarding the leadership roles that she has taken in collaboration with other statistical agencies, including around DEIA, co-chairing some work around the President's Executive Order related to equity, and I just worry that demoting the Commissioner might not enable those kinds of leadership roles for the Commissioner of NCES.

DR. LEE: All right. So let's move to the vote. So I'm requesting a motion to recommend that the Commissioner of NCES continue to be appointed by the White House. So we'll get the motion and a second and then we'll take a vote.

DR. YOSHIKAWA: I move.

DR. DARLING-HAMMOND: I'll second.

DR. LEE: Great. Ellie, can you call the roll?

MS. PALEAZ: Yes.

DR. LEE: So you're voting either yes for the Presidential appointment, no, or abstain.

MS. PALEAZ: Okay. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Abstain.

MS. PALEAZ: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: Aye.

MS. PALEAZ: Dr. Gandara?

DR. GANDARA: Aye.

MS. PALEAZ: Mr. Guy?

MR. GUY: I vote yes.

MS. PALEAZ: Dr. Harper?

DR. HARPER: Aye.

MS. PALEAZ: Mr. Hilliard?

MR. HILLIARD: Yes.

MS. PALEAZ: Dr. Klasko?

(No response.)

DR. LEE: Where did he go? He maybe took a
break.

DR. DARLING-HAMMOND: He might have taken that
break, yeah.

MS. PALEAZ: Dr. Lee?

DR. LEE: Yes.

MS. PALEAZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: Yes.

MS. PALEAZ: Dr. Scott?

DR. SCOTT: Yes.

MS. PALEAZ: Ms. Sullivan?

MS. SULLIVAN: Aye.

MS. PALEAZ: Dr. Yoshikawa?

DR. YOSHIKAWA: Yes.

MS. PALEAZ: Dr. Klasko?

DR. KLASKO: Yes.

MS. PALEAZ: Okay. Okay. The yeas have it,
11 to one abstention.

DR. LEE: Okay. So that passes.

All right. Let's take a 15-minute break.

It's 11:15 my time, so 11:30 then we'll come back and
then we'll take up the question of the evidence statement
in ESRA and create a vote for the contents and focus of
the statement.

Conchita, you said you're taking some notes,
so maybe you can share the preliminary document that you
developed and then we can move on to talk about scheduling
our meetings for the year.

DR. HARPER: Carol?

DR. LEE: Yes?

DR. HARPER: Before we depart for this comfort
break, is it our only break?

DR. LEE: It depends on how far we want to go.

I'm thinking that we -- I don't think that we'll have business that will take more than the next hour, so I don't think we need to worry about a lunch break or whatever. I don't see us going until 4:00. Does that help?

DR. HARPER: Somewhat.

DR. LEE: Bring your snacks with you so you can -- we can hold on.

DR. HARPER: Okay.

DR. LEE: All right.

DR. SCHNEIDER: That means refill the espresso mug, Shaun.

DR. LEE: Right. All right. See you all.

(Whereupon, a brief recess was taken.)

DR. LEE: The last item relative to this current legislation reauthorization has to do with the statement on what constitutes research evidence, with particular attention to the paragraph that's in the meeting chat.

And when we finish this, Mark, I think it could be helpful if you were to say something about the timing on the reauthorization relative to the appropriations,

some sense of the timeline, the urgency of the timeline of responding there as well.

So we'll try to resolve this issue. And then if, Conchita, you could screen share -- Bill, if you could give her screen sharing so Conchita could share with us the draft that she has worked on questions --

MS. HERNANDEZ LEGORRETA: And it's in everyone's email, so whatever email was in the calendar invite, it went to everyone on the calendar invite.

DR. LEE: Yeah. No, I got it. I'm sure we all got it. I think it would be helpful to actually see it on the screen --

MS. HERNANDEZ LEGORRETA: Yes.

DR. LEE: -- just to finalize.

So the question now is the statement regarding research evidence. The consensus seems to be toward recommending that it be removed. Is there any discussion about that? We could take the vote, I think. What would be helpful would be for us to create a statement as to why, assuming that's the -- so is there any -- before we ask for the motion, any discussion about the focus of the statement that's in the chat regarding what

constitutes appropriate scientific evidence?

DR. DARLING-HAMMOND: I'm having some trouble getting my Teams to work, but am I still here? Yeah. Okay. I'm still here.

DR. LEE: You're still here.

DR. DARLING-HAMMOND: I would just reinforce Mark's recommendation that we just ask for it to be -- for the current moment, you know, delete it and make some framing around the fact that there are a lot of decisions that go into the right methodologies and, you know, what we are concerned about, being sure that there's strong methodologies being used for research to draw appropriate inferences. It's more complex than simply looking for a single statistically significant study or a single methodology. That could be part of the rationale, but I think that for the moment, eliminating the paragraph makes the most sense because wordsmithing it now would be difficult.

DR. SCHNEIDER: So I totally support Linda's position on that because I'm looking at this and this is a good starting point, but it needs a lot of work and I'm not sure if you have that much work. I mean, I think

C goes -- that goes beyond statistically significant is not exactly what's at risk here or what's at stake.

DR. DARLING-HAMMOND: Mm-hmm. Right.

DR. SCHNEIDER: So that C needs to be changed.

And then again, I mean, then that requires some thought and some careful definitions. I would just say that the easiest thing to do is to recommend that that paragraph be deleted and then something innocuous like, "We welcome the opportunity to work further with you on a different definition if that's needed, but in the meantime, we recommend that that paragraph be struck."

DR. DARLING-HAMMOND: Yeah, I think that's a good way to go. I mean, they are probably going to have to say something. And, of course, there's the evidence-based definitions that are in ESSA, which are also, you know, not fully adequate to --

DR. SCHNEIDER: Yeah, so the things --

DR. DARLING-HAMMOND: -- the decisions that have to be made about what kind of research to support.

DR. SCHNEIDER: Right. And there's some -- there's been some discussion about trying to take ESSA standards and apply them to IES via this Act, and

that would be -- I'm not sure how strong a negative word I could use, but it would have negative implications for us.

So I think four is much simpler than this and I think the recommendation is that this be struck for a variety of reasons and Linda could probably just whip off two, three, Matt could help probably, and that we welcome the opportunity to work on a different definition in the future.

DR. LEE: So I totally agree and I'm going to call for the motion. I would just also like to say while it's on my mind that it would be helpful, Mark, I think once this meeting is over and we start the process with this policy committee to sort of meet with them and begin to articulate some of these other next-step projects for areas that you think will be important to be taken up.

DR. SCHNEIDER: Of course. So the most important thing with regard to any future discussion about "evidence-based" and future definitions, so Matt Soldner has to be involved in that because he is the evidence officer for the entire Department.

DR. LEE: Well, I'm saying two things. One,

this would be around the future of attention to criteria for evidence-based reliability, if you will, on the one hand, but I'm saying, in the broader scheme of things, there are other policy issues that are emerging that you know are on the -- you have comments already to be addressed --

DR. SCHNEIDER: Yes. Yeah, yes.

DR. LEE: -- right, to share that timeline would be helpful.

So I'm going to ask for a motion that the Board recommend that the statement articulating criteria for evidence-based research be deleted. Can I get the motion and second?

DR. DARLING-HAMMOND: And do we want to make in --

DR. SCHNEIDER: But now I'm sorry, just --

DR. DARLING-HAMMOND: -- that motion the other half of it that it be current -- deleted for the moment and that we're -- you know, and ultimately replaced with something that we would, you know, be happy to contribute to?

MS. PALEAZ: Or something broader. Maybe you

could just leave it that vague, but just something broader.

DR. LEE: Broader than --

DR. DARLING-HAMMOND: Mark, you were about to say something also.

DR. LEE: I'm just saying broader but that we would also be willing to contribute to the discussion of what those shifts ought to be.

DR. SCHNEIDER: And we have to make sure that the specific paragraph that we're talking about is referenced in the motion.

DR. LEE: Right. So can Matt or somebody give us, like, where the paragraph comes from so we'll be specific as to which one we're talking about?

DR. SOLDNER: I can try to pull something up right now. Hold on. In the -- yeah, let's see. This is -- well, it's Section 15 -- or No. 15 in the definitions section. Anyone know what the definitions section is off the top, Section --

DR. DARLING-HAMMOND: We can get that in before we send the --

DR. SOLDNER: Yeah.

DR. LEE: Right. It actually copied the paragraph and inserted, so the issue is left --

DR. SOLDNER: Okay. Section 102, paragraph 15.

DR. LEE: So what's important is that in voting the Board's aware of the specific language we're talking about now, which you can because it's in the chat. So I get a motion and second.

DR. SCHNEIDER: I so move.

DR. LEE: Second?

DR. GANDARA: Second.

DR. LEE: Okay. Ellie, can you call the roll?

MS. PALEAZ: Yes. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Yes, agree that it be removed.

MS. PALEAZ: Dr. Darling-Hammond?

DR. DARLING-HAMMOND: Aye.

MS. PALEAZ: Dr. Gandara?

DR. GANDARA: Yes.

MS. PALEAZ: Mr. Guy?

MR. GUY: Yes.

MS. PALEAZ: Dr. Harper?

(No response.)

MS. PALEAZ: Mr. Hilliard?

MR. HILLIARD: Yes.

MS. PALEAZ: Dr. Klasko?

DR. KLASKO: Yes.

MS. PALEAZ: Dr. Lee?

DR. LEE: Yes.

MS. PALEAZ: Dr. Lopez Turley?

DR. LOPEZ TURLEY: Yes.

MS. PALEAZ: Dr. Scott?

DR. SCOTT: Yes.

MS. PALEAZ: Ms. Sullivan?

MS. SULLIVAN: Aye.

MS. PALEAZ: Dr. Yoshikawa?

DR. YOSHIKAWA: Yes.

MS. PALEAZ: Dr. Harper?

(No response.)

DR. LEE: I'm sure he'll be back in a minute,
so we can -- so it's unanimous, with the exception of
the votes that haven't come in, correct?

MS. PALEAZ: Yes. Mm-hmm.

DR. LEE: All right. This has been

extraordinarily productive. Really, it has. So I'm thinking now if we could read through the document.

Conchita, are you showing or is Ellie showing?

MS. HERNANDEZ LEGORETTA: Yeah, I'm showing.

DR. LEE: Okay.

MS. HERNANDEZ LEGORETTA: Can you see it?

DR. LEE: Can you make it a little bit bigger?

MS. HERNANDEZ LEGORETTA: Yep.

DR. DARLING-HAMMOND: So I'm wondering about our process at this point. This is a moment of editing, and Committee editing is usually challenging, how we want to get to a final version. Do we need to get to the final wording in a way that we vote on that in this meeting?

One possibility might be to give us a break to put edits into the Google doc rather than trying to do it as a group, but I just raise the question before we dive in to think about what process could be most useful.

DR. LEE: So that makes sense if we can -- it already is a Google doc product, so we can just go into our documents. So let's say if we take the next 10 minutes to go into the doc files, insert our comments, and that way we could hopefully have an efficient process for the

final edits.

DR. DARLING-HAMMOND: Yeah, I'm not sure we can do it that quickly, but, you know, we could certainly make some progress.

DR. LEE: Let's try. We'll do a check-in -- come back and do a check-in in 10 minutes, and if people need some more time, then we can do it that way.

DR. DARLING-HAMMOND: Oh, I just -- this is maybe me because of the way I like to write. I like to think about it, and so I think we should get our comments in the document in the next 10 minutes and then figure out how to take a little bit of a longer break to finalize it so that we're careful with the language ultimately, you know.

DR. LEE: Okay.

DR. DARLING-HAMMOND: So, if we can get everybody's comments in in the next 10 minutes and then figure out how to give somebody authority or the group authority to go off and work it into a nice document.

MS. HERNANDEZ LEGORRETA: And what would be helpful too is if everyone put their edits as track changes

and that way we can kind of look at them and just be like yes, yes, yes, because then we're going to be writing over each other.

DR. DARLING-HAMMOND: Okay.

DR. LEE: All right. Let's start. Thanks.

(Pause.)

DR. LEE: So are we about finished? So I think, if, Conchita, you could pull up the document again, we can look through.

MS. HERNANDEZ LEGORRETA: Sure. The first suggestion is just delete some formatting issues, which is good. The next one is adding the work of IES more broadly, if that makes sense. And this one, adding some grammar to inform the Board's deliberations and decisions underlies. That looks good.

So those of you all that are much better at wording, this sentence here, "The Board has not met since," so I put in the date of the prior board with the dates of the current Board. So the good wordsmiths, feel free to reword that so that makes sense.

Membership, that totally makes sense. I guess membership. Emphasizing the scope and departments of

the Board, as well as providing support for a diverse group of leaders. Looks good. Yeah.

Go ahead. Oh, sorry, no. This is Conchita seeing I'm doing a very bad job of, like, badly reading the comments and not fully kind of going through them just to make sure it makes sense. Is somebody -- oh, so Carol added appointed by the NES board, which makes sense in the wording of responsibilities.

DR. LEE: So this sentence on the NCES Commission, I think we need to change that. I think this -- that if you could go back over this first part. So, no, down to the NCES --

MS. HERNANDEZ LEGORRETA: Okay.

DR. LEE: Okay. So "worry about the statistical enterprise would be harmed if done by the director, maintain the information that is needed about educational systems more than the coming and going of other centers," I think that should be taken out.

DR. SCHNEIDER: I totally agree. I find that sentence actually wholly wrong.

DR. LEE: I wouldn't like it either, Mark, so I think that should come out. I think the argument --

MS. HERNANDEZ LEGORRETA: Excuse me, Carol, which one?

DR. LEE: That whole first "worry about the statistical enterprise would be harmed if done by the director," all that should come out, the "maintain the information that's needed about educational systems more than the coming," I think that should come out.

DR. SCHNEIDER: That definitely has to come out.

MS. HERNANDEZ LEGORRETA: Okay. So --

DR. LEE: I think I --

DR. SCHNEIDER: And I'm worried --

MS. HERNANDEZ LEGORRETA: -- let me -- I'm seeing no -- okay.

DR. LEE: So I'm just -- I think that what comes below that about the relationship --

DR. SCHNEIDER: Wait, I'm sorry, there was a -- I'm sorry, Carol, that sentence about comparing it to other centers has to go also.

DR. LEE: Right, right, right. All --

MS. HERNANDEZ LEGORRETA: The maintaining and then --

DR. SCHNEIDER: Maintain the information and need about education systems, that is, again, insulting.

DR. LEE: Right.

MS. HERNANDEZ LEGORRETA: So what if -- like that?

DR. LEE: So I think the essence of the argument is the relationship of NCES to other statistical agencies in the government and that the appointment by the President places it -- I don't know if "on par" is the right language. The logic is the issue is coming up with the language, if I'm understanding, is that there are a variety of statistical agencies in the government whose responsibility it is to report to the larger public on particular topical areas and that there are activities of NCES that include but also go beyond the purview of the centers. Something to that effect. To me, it has nothing to do with the director.

You know, Peggy, maybe you could offer some wording.

DR. SCHNEIDER: I don't know why we need more than just the first sentence, that NCES remains -- the Commissioner remains a Presidential appointment.

DR. LEE: Well, I think we need some rational statement. I don't think it has to be as long as it is.

For each one of these recommendations we have some reason.

MS. HERNANDEZ LEGORRETA: Do we want to keep the part about the Evidence Act or no?

DR. LEE: I think that's fine. I think that's the strongest of the arguments at one level.

MS. HERNANDEZ LEGORRETA: So do you want to keep A and B?

DR. LEE: So keep the B. I think the variety of agencies in the government NC, blah, blah, blah, standing, opportunity -- I think those are fine. Just all that stuff about the director I didn't think was relevant.

MS. HERNANDEZ LEGORRETA: Okay.

DR. SCHNEIDER: Well, you also have broader rather -- it should be broader, going back up, right? "But has a broader function than the issues." So, look, I mean, I believe A and B are relevant and that you could just put C as the only paragraph that you need and to fix that, fix that C. I don't believe A and B add

anything.

MS. HERNANDEZ LEGORRETA: Okay.

DR. SCHNEIDER: That's my -- I mean --

(Simultaneous comments.)

DR. LEE: Well, Peggy, can you weigh in on this one?

DR. CARR: I think A and B are useful. I think that what we had before the opening stuff, I think, was not -- I think it's the rationale for why C -- why we have any attention to C at all. It's like C is the warrant for the claims in A and B.

DR. LEE: Peggy, do you have any thoughts on this language here?

DR. SCHNEIDER: I don't understand what the second sentence in A is.

DR. CARR: Am I audible? Yeah, I'm just going to point out that NCES is part of the larger federal statistical system under the Chief U.S. Statistician, and that is part of a larger scope, that we have duties and responsibilities that are outlined for all federal statistical agencies, especially the recognized statistical ones. And so I do think there is something

to reiterating the scope of NCES beyond just its role as a center in IES.

DR. LEE: So can we --

DR. SCHNEIDER: Yeah, but that has nothing to do with Presidential appointment or not because the heads of other statistical agencies are not Presidential appointments.

DR. CARR: Well, many of them are and especially --

DR. SCHNEIDER: And many of them are not.

DR. CARR: -- some of the larger ones. Well, you know --

DR. LEE: Well, the fact that some are --

DR. CARR: -- when people have a valid position.

DR. SCHNEIDER: Yeah. So I still don't understand what "goes beyond the scope" means. What does that phrase mean?

MS. HERNANDEZ LEGORRETA: We can get rid of that sentence and add what Peggy was saying right now about --

DR. LEE: Yeah, what Peggy's saying.

MS. HERNANDEZ LEGORRETA: Yeah.

DR. LEE: So take that out and then, Peggy, just give us the wording of the first sort of sentence that you had. NCES is a part of blah, blah, blah.

DR. CARR: Well, NCES is part of a federal statistical system that has the oversight of the Chief Statistician of the United States with delineated roles and responsibilities actually now codified in law under the Evidence Act.

DR. LEE: And then that seems to me then leads to the B and C. Can you go down to B and C?

MS. HERNANDEZ LEGORRETA: Yes. Should we delete B?

DR. SCHNEIDER: B doesn't make any sense.

DR. CARR: I think B could go. I think I agree with that.

DR. LEE: Okay. So take B out.

DR. SCHNEIDER: And then C just supports the initial, the A, so I think that's good.

DR. LEE: Right.

DR. CARR: Yeah.

DR. LEE: Okay. So now let's go down to 4.

DR. SCHNEIDER: Well, someone's going to fix that B paragraph, right?

MS. HERNANDEZ LEGORRETA: Yeah, B needs to be fixed. Yeah, we'll work on it to make it better. I like this "We urge" -- who put that in? It really doesn't say, but I like that it says, "We urge that the current" instead of "current position." Agree.

DR. SCHNEIDER: Right. And we urge that the current definition -- so, in some way up there or in the phrase, the definition of "evidence-based," we have to put a reference -- we talked about this before -- a reference to the specific paragraph we're talking about. So the 15 --

MS. HERNANDEZ LEGORRETA: Yes, and that's in bullet point A, so bullet point A has the paragraph and then we're going to have it --

DR. SCHNEIDER: Yeah, but it says 15. You need to place either a cite at the end.

MS. HERNANDEZ LEGORRETA: Yes.

DR. SCHNEIDER: Or 15 is not sufficient without placing it in the section.

MS. HERNANDEZ LEGORRETA: Yeah, yeah, yeah,

that'll be here at the citation part. Does everyone like this with "The definition that allows for thoughtful decision-making of other appropriate methods and standards of evidence needed to address a range of research problems. IES and NBES stand ready to participate in the development," I think that's really good.

DR. LEE: Yeah.

DR. SCHNEIDER: All right. Matt, Matt, are you still on? Are you still around? Maybe not.

DR. SOLDNER: No. No, no. Yeah, no, I am still here.

DR. SCHNEIDER: Right. Could you comment on this, or you think this is okay?

DR. SOLDNER: Well, as always, I think the Board ought to do what the Board thinks is, you know, the right way to go. Can you scroll down a bit here? I don't have your copy of the document open. Yeah.

So what I would suggest to you is, you know, we know that Congress is working quickly, and eliminating the definition is one way to proceed. If you think -- I heard someone mention the idea of proposing an alternate

definition at a later time. I'm not sure how much later time there is for you all to act and so, if there are things you would want to telegraph to the Committee, even if you don't have a fully formed idea, now might be a propitious time to do that.

So, if there are other structures in the law that seem like promising ways to bound evidence-based in ways you think are appropriate for IES, you might want to point them in that direction. I just don't want you to get caught not being able to provide feedback on your timeline.

DR. LEE: Do you have any suggestions or thoughts about that?

DR. SOLDNER: Gosh, Carol, I'm trying to not give you specific suggestions because I'm not sure that's my job as a commissioner, but I would say -- I don't want to sway anyone's opinion. I want you all to come to it as you think you ought.

I guess my suggestion is, if there are things in existing ESRA or the reauthorization language you've seen that feel closer to you to what high-quality research looks like and that you would want IES to prioritize,

you should point that way. And so I'm not sure -- I mean, I know Linda had access -- had shared around the whole redline. I'm not sure, Linda, if you think there are things in either original ESRA or the redline that describe research in ways that are helpful here or not.

DR. LEE: Well, let me just say, Matt, that we've already -- the Board has already taken a position in terms of claims of this issue, but we do depend upon the expertise of IES staff to, you know, help us think about issues, so I don't think you should feel constrained in any way in making recommendations about what might be language for other ways of considering reliability and research methods and evidence.

DR. SOLDNER: Thanks, Carol. I guess what I would suggest to you then is there is some statutory language that we have operated with for a very long time related to scientifically valid research. I think it's called principles of scientifically valid research. It's on the redline that Linda shared earlier. And it's principles-driven, right, as opposed to being terribly specific and has lots of guardrails that have supported

IES in producing high-quality research of all types of 20 years. And so that might be a place where I would start to look if I was trying to find inspiration for what might be used here.

So I'm not sure if Linda has that open and wants to show that to -- whoever has access to that document and has it open and would want to show it to the Board, but that's existing text that you wouldn't have to come up with de novo right now in a short time frame.

DR. LEE: Is Linda still here? I know she had to step away at one point. It looks like she had to step out.

I mean, I have some thoughts, but I think they're too long-winded to go into a document like this because I think the issue has to do with the conceptualization of the questions that we're asking and having the freedom to sort of recruit from a variety of analytical methods and design that will allow us to wrestle with the question at hand. And quite often, the randomized control experiments and the causal inferences make assumptions about sort of singular pathways of influence on an outcome versus work that evolves in things

like studies and that this was studying dynamic systems, which are quite different, and they're warranted in very different kind of principles. But I think, oh, that's too long-winded to put in a document like this.

I think, at this point, we're trying to make our position clear and that it will likely be relationships that we try to establish with key folks on the Hill and other stakeholders that would bring about opportunities to go into more depth. I think, at this point, this isn't going to be the document that influences. This is going to be the document that makes our position clear, if that makes sense.

To me, the problem in trying to -- on this is, for example, this cause about "Statistical difference is debated among statisticians and researchers. Key criticism include an over-emphasis on arbitrary threshold for determining statistical significance." The problem in that is that conceptually, the problem is that while we look at the value in the indicator, the statistical indicator of significance, there's always an error in it and we don't pay any attention to the error, as though it is not relevant, you know what I mean, to the question

that we have.

So, to me, all of this at the end of the day is less about a set of procedures as much as it is about the conceptual basis of what it is we're trying to understand and not limiting ourselves in terms of the array of kinds of analytical models that help us wrestle with the question, because it isn't you do one or you don't do it. But I think that's too big a hole to jump down in a document like this.

MS. HERNANDEZ LEGORRETA: So are you suggesting instead of us talking about the definition that our only suggestion be deleting it from the language and not suggesting language change?

DR. LEE: I'm suggesting -- I'm trying to just deal specifically with what we have in here, so I'm fine with A. If you can kind of go up a little bit. B. I think for the C it would be helpful -- we don't have to identify it now, we can easily find that out -- might be a reference to some citations in terms of the debates over the question of statistical significance.

DR. SCHNEIDER: So, yeah, I mean, the debates about the term statistical significance are pretty

wide-ranging. You know, the P value is one of the major focal points in the sense that it's arbitrary. But worse than that is the American Statistical Association has said many, many, many, many times the misuse of statistical significance and misunderstanding what statistical significance means is endemic, and it doesn't tell you what it's supposed to -- what people think it tells you. That's number one. And it moves us from an arbitrary level -- an arbitrary bright line that's mostly a function of the size of the sample.

So NAPE, which has a huge, a huge sample at the national level, report has reported something as statistically significant where the effect -- the change rounds to zero. So, I mean, so the -- what's the right word? So, by talking about statistical significance in this way, it gets us away from the real question, which is the substantive importance, the substantive significance of a finding, right? So, if we could report a zero effect that's statistically significant because we have a large sample size --

DR. LEE: Right.

DR. SCHNEIDER: -- well, I mean, that's -- what

do we do, quite frankly?

DR. LEE: So can you give us a couple of sentences for Conchita to capture the essence of what you said? Because I totally agree with you.

DR. SCHNEIDER: So, yeah, so, I mean, again, you want to add stuff and I just think you've simplified it, right? So the last part under emphasis on the practical significance of findings from quantitative research is the point. So I'm not sure you need a D.

DR. LEE: Just a sentence to add to C. In other words, the nature of the debate over the question as to statistical significance.

DR. SCHNEIDER: Well, I mean --

DR. LEE: The complications of it that can be misunderstood or whatever, some sentence like that.

DR. SCHNEIDER: Yeah. So I would add a citation to the -- I could dig it up. The citation to the American Statistical Association has been talking -- has multiple times, multiple times called out the misinterpretation of what the P values mean because they don't mean what people often think they mean.

MS. HERNANDEZ LEGORRETA: I just added the --

DR. SCHNEIDER: And I liked the last sentence.

I liked the last sentence about underemphasizing the practical significance of findings. That's really important.

DR. LEE: So I can see Peggy and Denisa.

DR. CARR: Well, I, of course, underscore the importance of meaningful differences, not just statistical differences, and that doesn't always mean that it has to be qualitative research, I should point out.

But I think what is missing that hasn't been dealt with in the summary of points is the value of external validity, generalizability, because this definition seems to focus on internal validity, making sure that one can identify the cause and effect through, you know strong internal controls of a study, but there needs to be a balance between internal and external validity. All of this is about is generalizing the findings to the population of interest.

So the value of studies that have generalizability to different populations, different settings, et cetera, is also important here, and I think

it's missing in this definition, by the way. But it has not been made a principal point in the need to revise the language because it is omitting what the whole endeavor is about; be able to provide information that can be generalized, used, scaled up, whatever, for the betterment of our education system. That's what it's about.

DR. LEE: So, if I could just add, but not to be added to the language, but just a little seed that I want to keep planting on the sort of sides of human learning and development that if the model of the real world involves dynamic relationships, dynamic relationships that are situated within and across ecological settings and time, and you have a model for analyzing the data that presumes a kind of linear causality, you're not going to have external validity because the conception of the problem doesn't fit reality, and so your methods are inappropriate for trying to capture it.

And just my little seed-planting not about this document is that I do think that this is a conundrum that both IES and in National Science Foundation need to take

up because I think it's the cutting-edge shift that's going on in the field that needs to be supported. None of this goes in the document. This is just my little seed-planting here.

Denisa and then Liz.

MS. GANDARA: Yeah, I'd just like to mention I added the reference to the ASA statement that Mark was referencing from the American Statistical Association.

DR. LEE: Is that the Wasserstein or --

MS. GANDARA: Yes.

DR. LEE: Okay. Great. Thanks.

Liz?

DR. ALBRO: Yeah, hi, folks. I just want to recommend that the Board look at the principles of scientifically valid research, which I believe is Section 25. It's written pretty broadly, and I actually feel like it does provide an open -- a more open framework than perhaps what -- you know, than what we've been discussing here. So I just wanted to make sure folks looked at that section as they're considering this definition. Thanks.

DR. LEE: And, again, for the purposes of getting this document out, we could reference that.

MS. HERNANDEZ LEGORRETA: What was the number again of the section? Sorry.

DR. LEE: Liz, I think that's a question she's asking you.

DR. ALBRO: It's Section 25 on page 10.

DR. LEE: All right. I think that we have enough done on this that we can approve the document, give it to the Policy Committee to put the final, you know, edits, kind of clean up, et cetera.

DR. ALBRO: Oh, I just wanted to add one last point, a small point, that a single study is insufficient.

DR. LEE: All right. So this has been --

DR. SCHNEIDER: Well, I'm sorry. What about Point 5 about ARPA Ed?

MS. HERNANDEZ LEGORRETA: Yeah, we never got to that.

DR. LEE: So can you say more? We hadn't discussed that yet. So is that related to the ESRA reauthorization?

DR. SCHNEIDER: Well, it was -- I mean, so the Department of Education, IES, ALI, many have put forward the position that ARPA Ed is needed. It's been high priority for the Department and endorsed by the Administration and it disappeared.

So the question is, I mean, do you -- I mean, I could go through what it is. We talked about this yesterday. We talked about, you know, some of the activities that we are supporting, ARPA-like activities that we're doing, the transformative research program, the seedlings to scale. I mean, we have a bunch of things.

We got \$40 million in appropriations language directing us to do these kinds of activities. Ten million went to the School Pulse, which we talked about yesterday; and 30 million went to the kinds of things, the transformative research program and will support the seedlings to scale. I mean, for me, it's an incredibly high priority and it disappeared.

And there's still ongoing discussions about whether or not if you get back into NCADE -- I'm sorry, back into ESRA reauthorization, there's some fall-back positions. So rather than create a new center, which

NCADE would be, one possibility is to create a program for innovative research and as a program headed by a deputy director that would report to me and that would be a program with a separate appropriations line.

But I think -- so here's the question, right?

So the question is where the Board stands on the need for IES to undertake more modern R&D activities compared to the basic research that NCER and NCSEER is mostly concerned with, right? So the question is, as an implied science agency, how much more work needs to be focused on more modern R&D activities and more modern, faster research activities?

DR. LEE: So the question -- and then I'd like to open it up for discussion -- is, are you recommending, Mark, that we address this issue in this document because you are recommending that it be reconsidered in terms of the full development of the ESRA reauthorization bill, or is this something that you're offering separately?

DR. SCHNEIDER: Yes. So, I mean, so, look, I mean, as Matt said, our job is not to tell you what to do but to give you advice and show you the light. And then whether or not you follow how -- you know, you have

to follow your own parts.

DR. LEE: Yeah, that's what we're looking for.

DR. SCHNEIDER: Yeah, I don't have to tell you that, Carol. I'm just trying to, you know, position what I'm about to say.

DR. LEE: Right.

DR. SCHNEIDER: So NCADE, this has been like ARPA -- as many of you know, there's a giant push across government for ARPA -- more ARPAs. DARPA, of course, the defense. ARPA was the first. ARPA Energy, ARPA Labor, ARPA-I, Intelligence, ARPA Transportation. There's a lot of -- there are many ARPAs that are being formed. They're all aimed at encouraging more rapid-cycle, higher-risk activities. That's the core of them. And one of the distinguishing characteristics, which is something that IES historically has not been that -- has not been sufficiently concerned with and that's scaling of activities.

So one of the distinguishing characteristics of ARPAs is that it is concerned with finding interventions that work and then bringing them to scale and often by partnership with tech companies, and DARPA

is with obviously Boeing and military contractors. But the whole focal point on rapid turnaround, high risk, high reward, transformative work is something that is in wide demand across the government.

We have worked with OSTP on multiple occasions to fashion what ARPA Ed should look like. We've dealt with ARPA Energy, we've dealt with other ARPAs. And the question is, like, the time is ripe. It's an opportunity to introduce new ways of thinking into our work and the purpose of it obviously could be built on all the basic research that NCER and NCSEER has done and to move forward into a different mindset with regard to, you know, what kind of research is needed.

So the other -- the final part is that this has been a very high priority, a very high priority for the Department and it's gotten a lot of support in the White House, so OSTP has been a major supporter of this.

So the question is, how are you going to think about putting this in as a request that they reconsider NCADE and put it back in?

DR. LEE: Do you have any sense as to why it has been removed?

DR. SCHNEIDER: Why? Well, there are many reasons, but I'm not sure how many of them are -- you know, what the accuracy of my -- of what I've heard is. So a lot of it is hearsay, shall we say.

DR. LEE: Mm-hmm.

Linda, do you have any thoughts on this?

DR. DARLING-HAMMOND: I'd like to know more about why it's been left out and what people are concerned about. I mean, I've heard, you know, various points of view on it, but I don't feel like I've studied it.

DR. LEE: What other questions would -- where might we go to try to get further information?

DR. SCHNEIDER: Well, I'm going to send you a link to the last blog I did on this.

DR. LEE: Can you just summarize for us what's in the blog?

DR. SCHNEIDER: Pretty much what I just told you.

DR. LEE: Liz?

DR. ALBRO: So, yeah, I just wanted to make sure folks saw I put the Request For Information that I mentioned in my talk yesterday about From Seedlings

to Scale, which kind of lays out the vision of how we're instantiating what we -- a line of work that's similar to the work that might exist under NCADE if folks want to get a sense of the conceptualization from the research side of what it is we're hoping to accomplish.

DR. SCHNEIDER: So we've just gotten the results from that RFI. We got 62 comments, is that right, and we're going through them. But there have been -- there are other documents that have been produced.

This blog, my blog, is one of the last ones that I know of. But they're all making the argument about why we need a different infrastructure, a more modern infrastructure for at least part of the IES portfolio.

DR. LEE: So the challenge that I'm having is I'm just not clear that we have enough information. I don't really have a position one way or the other personally just because I don't think I know enough at this point. And I understand, you know, the time constraints. I do think that we want to set an agenda for the Board. At this point, I think we ought to try to meet monthly because I'm assuming that we can cancel meetings, right? We don't get beat up if we cancel.

We have to have some advance notice if we're canceling in terms of this register business?

MS. PELAEZ: I'm not sure, Carol. I'm going to look into this. This is Ellie.

DR. SCHNEIDER: So, quite frankly, a monthly cadence, depending on what work you expect from the commissioners, is not possible, quite frankly. It's just -- I mean, that cadence is -- I mean, getting ready for this meeting for the commissioners was like days upon days of work. So I don't -- I mean, if you expect this kind of input from the commissioners on a monthly basis, you're going to be disappointed.

And I'm also concerned that -- I mean, look at the quality of your Board. I mean, do they have the time for monthly meetings? Look, that's not my business.

It's your business. But I'm telling you, from my side, the IES staff are going to be hard-pressed to have a monthly cadence, if you --

DR. LEE: So I think the question -- I understand that and appreciate it. I actually had initially thought about the Board meeting every other month, giving the committees time, a month in between,

to do their work in preparation for the work of the Board.

I do think that the timing generally speaking and particularly of the next meeting should be attached to work that we have to accomplish.

So you, Mark, had indicated, if I understand correctly, in addition to this particular piece around ARPA, several other policy-related initiatives that you were anticipating coming up that you thought would be useful for the Board to weigh in. So depending, again, on the timing needs for the Board to potentially address that, we could decide on perhaps if those issues that you were raising can wait two months, then we can start with a schedule of every other month. If those are issues you think some more immediate time and attention to by the Board, we might have a meeting next month that's specific to those issues, those policy issues that you raised, and then create a schedule going forward potentially every other month.

DR. SCHNEIDER: Well, look, I mean, in contrast to my commissioners, who actually are really hard-working, my job is nowhere near as defined as theirs, quite frankly, so I'd be more than happy -- I mean, I

could do this more easily than my commissioners, but I don't -- you just have to understand that you can't expect the kind of time, prep work, et cetera, that they put in for this meeting on a monthly basis.

DR. LEE: I understand that. All I'm saying is, for me, the timing -- I think every other month is meaningful. That's what I originally came in here thinking about. I'm just saying that the issue that seems to me to be time-bound are issues about our responding to upcoming potential policy legislation.

DR. SCHNEIDER: Well, if --

DR. LEE: Several have been raised.

DR. SCHNEIDER: Okay. But if you want to have --

DR. LEE: And if that's the case -- --

DR. SCHNEIDER: If you want to have a meeting about SLDS and NDEC, the appropriations process, as you know, is independent of the authorizations. And, I mean, probably Linda, others here have probably a better fix on what's going on with approps. But, you know, sometime in the new year there's going to be voting on the appropriations, including the one that includes

Education.

DR. LEE: Right.

DR. SCHNEIDER: So I'm not sure exactly what date. There are two -- there's two functions, two steps, and I'm not sure where -- which one Ed is in, if it's in the earlier expected deadline or the later one, but that won't take place until January. I mean, the vote for the budget's going to take place in January. Hopefully, an independent bill is not -- not another omnibus.

So, I mean, look, as I said, I'd be more than happy to meet with you about these things, and, I mean, I don't know if the -- so, if you invite the commissioners and they don't show up, I just don't want a level of unhappiness on the Board's part.

DR. DARLING-HAMMOND: That makes sense.

DR. LEE: No, we won't be unhappy. We won't be unhappy. So, basically, what I'm trying to do, Mark, is be responsive to the issues, the policy issues that you've raised both about the appropriation and these other bills. And if we were to have a meeting let's just say theoretically next month where that was the primary focus

and you were the primary point person for information for which we may not need to have the other commissioners present, you know, I mean, that would be fine. I'm just trying to not let the issues that you raised around the timing of policy issues that are on the table to go, you know, unaddressed. Beyond that --

DR. SCHNEIDER: Right. And --

DR. LEE: -- meeting every other month would be fine.

DR. SCHNEIDER: Right. And then the amount of time needed for that meeting would be a lot shorter than the day and a half that we have for this one, and I think one of the things that I think we always need to revisit, which I find extremely -- many people have a hard time doing, is how long do meetings really need to be, right?

DR. LEE: Mm-hmm.

DR. SCHNEIDER: I mean, that -- we need -- and, again, if we're going to do hybrids, then, I mean, that's a -- we have to readjust actually to -- like, when we flew people in and we had in-person meetings, if we just had it for a day, then, obviously, that was a major

imposition, but if we do hybrid meetings or online meetings, then, obviously, we could do shorter and tighter ones.

DR. LEE: Well, we had this as a two-day because we hadn't had one. This is our first full-blown meeting to actually deal with content. So, no, we don't necessarily have to have two-day meetings going forward.

One of the other issues -- and I think this will also be another reason to have a January meeting and then potentially this will be a vote we can take today to bi- -- moving to bi-monthly meetings is we're going to need to get some quick feedback on the Ed executive director search process. That does need to be kicked two months down the line.

So we could have -- if we had a January meeting, we could have those two items, you know, on the table and then move to bi-monthly meetings, including the question -- making decisions about when and if we want to have any face-to-face meetings considering that the ED position and paying for our meetings all come within that \$350,000 that apparently we still don't have, but --

DR. SCHNEIDER: You do not have. That is

correct.

DR. LEE: Whose hand is that? I can't see.

Is that you?

DR. SCHNEIDER: Linda.

DR. LEE: Oh, Linda, sorry.

DR. DARLING-HAMMOND: Yeah, I was just thinking that there is this pent-up work that is needed that might mean we meet in January virtually, you know, to try to keep that going. Maybe even again in February, because we've got a lot that we want to catch up on and there's a lot happening and then go to every other month.

I think, Carol, part of what you're trying to solve for is the fact that we need to have notice. So it may be easier to notice more meetings than we may even need and we can cancel them, right, rather than, you know, getting up to it and saying, oh, we really need to meet, but we haven't had enough days of notice in order to do it.

So I was just going to endorse your idea of getting a few things on the books that are more frequent in the short run and then going to a longer run, you know,

cadence after that. And I think Mark made a really useful point about the fact that the way we used to do meetings back in the old days was everybody flew in and stayed for two days. And I saw your comment, I missed this yesterday, about taking us for drinks at The Wharf, but I want to endorse that.

But I do think that we can have more variability in the ways we meet and in the, you know, cadence and maybe have some of these shorter virtual meetings to catch up on some things and then much less frequently, particularly given the size of the budget, get together for, you know, a more meaty in-depth meeting. So just to encourage us to go with the possibilities that, you know, the pandemic brought, you know, to us for varying the way in which we meet.

DR. LEE: I love when people complain. I love it. I'd rather do Zoom than get on a plane any day, so yeah.

DR. DARLING-HAMMOND: It does feel like we need maybe one or two meetings that are pretty short and pretty soon so that we can get caught up on some of these things that are going to be on our plate.

DR. LEE: Caroline?

MS. SULLIVAN: Yeah, I echo what Linda's saying. I've been on governing boards before and with a lot of statutory obligations and, you know, depending on what the agenda is, you don't need -- Mark, everybody doesn't have to come to every meeting depending on what the agenda is. So I think -- and if things veer off into one of the spaces where the commissioner is not present, we can table it for the next meeting, so I think that would work.

And I do think we need to go ahead and put some meetings on the books. You know, we've talked about subcommittees. I mean, there's a lot of ways I think that the Board can be helpful to your work and to the busy commissioners' work. And I think we can be a great resource for you all as well, but we sort of have to have a little more understanding and plan on how we can be helpful not just from the legislation that's happening right now but from all the, yeah, dissemination of information and communication and how do you -- the DEI work and AI and all of those things. I think we can be a support, but we have to have some sort of regular cadence

to the meetings because we can't -- you know, we need to be as informed as possible to be able to do a good job with advice, as well as support.

So I'm with Linda. Let's do one in January, one in February, figure out a way to do at least one in person because, Carol, I know. I can get a whole lot done when I'm sitting in front of this screen.

DR. LEE: Right.

MS. SULLIVAN: But the best things I've ever done professionally are because I had personal relationships with people. I mean, so I think that meeting together is super helpful as well.

DR. LEE: Yeah, I agree.

MS. SULLIVAN: We don't have to do it all the time, though.

DR. SCHNEIDER: So the only other thing I would add is, like, January is not the best month (a) to travel because of snowstorms and --

FEMALE VOICE: We don't want a trip.

DR. DARLING-HAMMOND: No, we're going to do a virtual in January.

DR. LEE: No, Mark, we're coming in the spring

when we can go out on The Wharf and sit by the water and drink.

DR. SCHNEIDER: Well, don't come during -- actually, just come at cherry blossom, which is about a 10-minute walk also from our office, from IES's office. And that's always very crowded but always an interesting time to be in D.C.

DR. DARLING-HAMMOND: Well, I think we can also put Hill visits and anything like that that we might want to do on the same calendar, so I think we can be strategic about our dates.

DR. SCHNEIDER: Sure, absolutely.

DR. LEE: So I'm hearing, one, a January meeting at this point to address both these additional policy issues that Mark has raised, as well as a report on the process of thinking about the ED search. And then I'm thinking that February could be a useful time.

The other big-ticket item that's kind of hanging out there is the NBES -- the Board's response to the recommendations from the Academy reports in relationship to what the centers are currently doing. And I think we could put that off until February. If

we have the -- if the focus for January is this additional policy work and the ED search, there's no reason -- I don't think any of the commissioners necessarily need to be there, unless, you know, Mark, you determine someone needs to, I think that could be primarily with you. And then February, for that Committee -- the Committee working on those recommendations can be in communication as standing committees with the relevant commissioners without a meeting so that when we do meet there is some -- there's a consensus sort of reached about how the Board is responding to the recommendations and IES's uptake of them. So we did that.

And then we waited. That would be February.

We'd hold off on March and then set a meeting for April, right? Then we could schedule these all in advance and we have enough time if we start right now, Ellie, on the January meeting to get the three weeks or whatever the time frame prep thing is.

Then we can -- could we then also, Ellie, send out a Doodle for January, February, and April dates so we can get the dates decided and people could get them on their agendas because one of the problems is we have

a board of very busy people and trying to find dates that we can all agree upon. Then that would give us at least a three-month cycle for moving forward. Does that sound reasonable?

DR. DARLING-HAMMOND: It sounds good to me.

DR. LEE: And then I would assume --

DR. DARLING-HAMMOND: And then, after April, would you then propose that we go to an every other month cadence?

DR. LEE: Yes.

DR. DARLING-HAMMOND: Is that your thought?

DR. LEE: Yeah, right. And I think we could continue that discussion in January and February so then by February we would be in a position to create a schedule essentially for the year, including identifying at least one where we meet face-to-face.

And, Mark, this can just be some internal conversation in terms -- or Ellie, of how we get confirmation of the point at which we can have money to spend, have money to hire, have money to plan face-to-face meeting.

DR. SCHNEIDER: Well, just watch the budget

process. I mean, until the budget is passed, we have no money.

DR. LEE: So it wasn't allocated for this past -- for the past year and --

DR. SCHNEIDER: Well, and last year, though --

DR. LEE: -- these meetings already would have been planned?

DR. SCHNEIDER: -- Ellie --

DR. LEE: They didn't assume we'd have money?

DR. SCHNEIDER: There's no -- right, there was no appropriation for this activity in last year's budget, and the only way that there will be money for this is in the current budget -- in, I'm sorry, whatever budget is passed in the next -- hopefully within the next month.

MS. PELAEZ: That's right. That's right.

DR. LEE: So this is so humorous. I'm coming back taking into Shaun's shoes that we were appointed roughly two years ago, so they didn't appoint -- allocate any money for us on the assumption that they would appoint us, and so we wouldn't meet because we wouldn't have any

money.

DR. SCHNEIDER: I'm not sure it goes exactly like that, but you can tell that story. But it's just --

DR. LEE: I've got to wonder.

DR. DARLING-HAMMOND: So, if they do a CR -- if they end up in February doing a CR under -- and just continuing on under this budget, we'll have another year of no funding, correct?

DR. SCHNEIDER: I believe that's correct.

DR. LEE: I think what I'm going to do is to take this issue up with the contact we have at the White House because this is --

DR. CARR: That's a good idea.

DR. LEE: -- so patently absurd. I'm still waiting to get from the framer the huge, you know, certificate that says I was appointed two years ago to a Board that had no money to do anything with. But anyway, so I'll reach out to Jacob and get some feedback from him relative to that.

DR. SCHNEIDER: Well, it's probably a good thing we didn't have this meeting in person because then that would have been a real problem.

DR. LEE: Yeah, we would have bought our own tickets because I think the November meeting, someone did buy their own ticket. Actually, I bought my own ticket and then thankfully had enough, you know status with United to cancel it, but anyway.

DR. SCHNEIDER: Yeah, it goes on and on.

DR. DARLING-HAMMOND: Yeah.

DR. LEE: Conchita?

MS. HERNANDEZ LEGORRETA: Yeah, I just wanted to clarify on the ARPA issue for the document, is there any decision on if we want to keep it in or take it out? Because, ultimately, what's going to happen is this document would have to be finalized.

DR. LEE: I think, at this point, we need to -- I think we need to take it out because we haven't had, but I think we can revisit it in January, Mark, where you can, you know, send us some information or whatever ahead of time so we could have a full-blown discussion.

DR. SCHNEIDER: So I sent you a blog that I did two weeks ago that lays out pretty much the highlights of what we conceive of as NCADE, ARPA Ed.

DR. LEE: Okay. So maybe you could just kind

of re-send it, but just a sense of the framing.

DR. SCHNEIDER: It's in the chat.

DR. DARLING-HAMMOND: It's in the chat now.

DR. LEE: Okay.

DR. DARLING-HAMMOND: And then we can do some other, you know, background research and know more about what we're talking about.

DR. LEE: Right. So we have the document that we will be sending.

Conchita, you and Steve and will take a last edit review of the document and work with Ellie and whomever, appropriate staff around a process to send to whom whatever. And any recommendations that you and Stephen may have and Linda, because Linda is joining your committee now, may have about any of the kind of formal follow-up or whatever beyond sending the statement to whomever should receive it.

MS. HERNANDEZ LEGORRETA: So we'll want to, I'm assuming -- I just took a look at it. It still has some sort of bullet point kind of things in there that are not yet sentences, and so we'll turn it into some paragraphs and --

DR. LEE: Yeah. Right.

MS. HERNANDEZ LEGORRETA: Right. And just put a fine point on it and get it out.

DR. LEE: All right.

DR. SCHNEIDER: So the one thing that I would suggest you do as soon as possible is you need to check with probably OGC about what the process is, the legal process or the -- I mean, I don't know if a statement from the Board needs to go through clearance. I mean, I don't know if it goes to the Office of Congressional Legislative Affairs, OCLA, and they forward it. I mean, there are many -- there could be different wrinkles and different avenues forward. And I think the most important -- I mean, I think you probably, Carol, or somebody needs to call up OGC and get the process by which your documents go to be -- what's the process for getting things cleared, if they need to be cleared, on their way to the Congress.

DR. LEE: That's fine.

DR. SCHNEIDER: Yeah. But, again --

DR. LEE: It could be just referencing back to in terms of the committee that I have to keep going

back reading that charter for the Board, but I am pretty certain that there is language in there about communications between the Board and Congress.

DR. SCHNEIDER: Well, please --

DR. DARLING-HAMMOND: Yeah, but Mark is adding to that --

DR. LEE: But the process --

DR. DARLING-HAMMOND: -- the fact that there's a bunch of, you know --

DR. LEE: Gotcha.

DR. DARLING-HAMMOND: -- kind of regulatory appurtenances --

DR. LEE: Right. No, I understand.

DR. DARLING-HAMMOND: -- beyond that. Yeah.

DR. SCHNEIDER: Right, right. And, again, welcome aboard and good luck.

(Laughter.)

DR. LEE: The good ship NBES on the rocky waters of the federal government. All right. Well, I think --

DR. DARLING-HAMMOND: So I assume you have the -- basically, the Board is delegating to the Committee getting that thing out the door after --

DR. LEE: Absolutely.

DR. DARLING-HAMMOND: -- ESRA gets those.

DR. LEE: And just keep us informed of the progress, you know, being made.

One last in terms of the committee structures, we'll send those out again and again would encourage everyone to think about whether you want to change membership, whether you want to serve on multiple committees or not, and then internally to ask each committee to elect a chair so we can have one point of communication to the committees will be very helpful.

So we're going to send the -- authorize the Policy Committee to clean up the document between the committee, Ellie, and myself, clarification on whatever the legal process for communicating it to the Congressional committee. The Executive Director Committee will meet.

And one other point around the standing committees, the reason that we made the decision to constitute standing committees means that as standing committees, you can meet outside of the Board, the public Board meeting. I believe Ellie needs to be present, but

you can meet to conduct your work outside of the Board meeting. You just can't make decisions. But the function of your committee meetings is to gather data, evidence or whatever to come back and make recommendations, you know, to the Board. So we would want the Policy Committee -- again, that would be your task and you just can report back to us.

I think, Mark, if you want to do any general communication or even if you wanted to have conversations with the Policy Committee in anticipation of the January meeting, that's something you all can work out. And we need the Ed Executive Director Committee to now begin meeting. My understanding, you're going to meet with David, the past chair of NBES.

DR. SCHNEIDER: David Chard.

DR. LEE: Chard. Yeah, you're going to meet with him, and if you want, he will put you in connection with the last executive director.

You'll also want to begin to gather some -- you know, consulting whatever, any experts that you think would be helpful in terms of defining the position, determining whether it's full-time or half-time, although

I do think the charter says half-time, although, when I talked to David, he said the person he hired, he hired full-time, so who knows.

But, to figure that out and while you're doing it, probably need to be thinking about budget questions and that the 350 that we hope they'll eventually give us, we'll need to pay both for the positions as well as meetings, particularly face-to-face meetings that involve traveling, to be part of your considerations. And because you'll have time until February, I would suggest strongly that the subcommittee, the group focusing on working with the various centers, begin to have some discussions about how you're thinking about structuring yourself and probably including some discussions with the commissioners as you work through that. But you can do all of that outside of the Board meeting.

So is there anything else outstanding that you can see for our immediate work going forward?

MS. HERNANDEZ LEGORRETA: Yeah, I was looking to see if -- would it be possible to -- oh, I'm sorry, Denisa, I just saw your hand up. I should use the hand

raising too, but I -- would it be okay to go ahead and select the dates for our next Board meeting?

DR. LEE: Yes.

MS. HERNANDEZ LEGORRETA: Just to get those on our calendars? Thank you.

DR. LEE: Absolutely. So maybe people could indicate dates that you're not available in January. Actually, we need -- yeah.

MALE VOICE: I thought you were going to send out a Doodle poll.

DR. LEE: We can do a -- I think the Doodle can go for February and April. I think it probably would be simple just to eliminate dates now so that the January stuff can start the Federal Register process since we're in December and we need three months' notice, right?

DR. DARLING-HAMMOND: Three weeks.

DR. LEE: Three weeks. Yeah. So the 17th I can't do other than -- and the 26th. Other than that, I'm open. Everyone's check -- you're checking your calendars now?

DR. DARLING-HAMMOND: Do you want us to just stick those in the chat then?

DR. LEE: I think if you just -- each one of us just tell us the dates you can't come. Whatever those are, we will schedule on different dates.

Ellie, why don't you just call the roll and ask people to tell us what dates they can't meet in January.

MS. PELAEZ: Okay. Ms. Hernandez Legorreta?

MS. HERNANDEZ LEGORRETA: Okay. This is more complicated than it seems, doing it this way, so I feel the pressure. Okay. I can't do the 4th or the 5th or the weekend of the 8th to the 12th. And then I believe -- let me scan real quick. I believe the other days work for me. Yeah.

DR. SCHNEIDER: Then someone's going to have to coordinate this. I don't understand why you just don't send out a Doodle pool, poll or whatever they're called.

DR. LEE: Because people don't respond immediately to Doodles and they end up taking days instead of minutes.

DR. SCHNEIDER: Well, okay.

DR. LEE: This shouldn't take but five minutes. Just keep the roll going.

MS. PELAEZ: Okay. Dr. Darling-Hammond?

DR. DARLING-HAMMOND: I can't do the 11th, 17th, 18th, 26th.

MS. PELAEZ: Dr. Gandara?

DR. GANDARA: I cannot meet on Wednesdays in January.

MS. PELAEZ: Okay.

DR. LEE: No Wednesdays, right?

DR. GANDARA: No Wednesdays.

DR. LEE: Go ahead.

MS. PELAEZ: Mr. Guy?

MR. GUY: I'm still trying to look at some dates.

MS. PELAEZ: Okay.

MR. GUY: I think during the week will be fine for me.

MS. PELAEZ: Okay. Dr. Hilliard -- or Mr. Hilliard?

MR. HILLIARD: I can be flexible.

MS. PELAEZ: Okay. Dr. Lee?

DR. LEE: The -- I think I gave my dates. The 17th and the 26th.

MS. PELAEZ: Okay. Dr. Lopez Turley?

DR. LOPEZ TURLEY: I cannot do January 1st through 5th or 12th.

MS. PELAEZ: Dr. Scott?

DR. SCOTT: I could be pretty flexible as long as -- my birthday is on the 16th. My wife might have something planned, so let me check with her first.

(Laughter.)

MS. PELAEZ: Ms. Sullivan?

MS. SULLIVAN: We can all eat cake in your honor.

DR. LEE: Yes.

MS. SULLIVAN: I cannot do the 4th or the 17th. I can make other stuff work.

MS. PELAEZ: Dr. Yoshikawa?

DR. YOSHIKAWA: Until the 12th I can only do Eastern Time mornings because I'll be in Japan, and then I cannot do the 22nd or the 23rd.

MS. PELAEZ: Okay.

DR. LEE: Well, what about the 19th of January? It's a Friday. No one has given that date.

DR. GANDARA: Works for me.

DR. LEE: I probably should have put it as a question mark. I might have state board, but usually not.

FEMALE VOICE: I have a faculty meeting that morning that I'm co-chairing. Sorry. I should have also mentioned that. I missed it.

DR. LEE: What about the 10th of January -- oh, you -- somebody can't do Wednesdays.

MALE VOICE: What about the 24th?

MS. PELAEZ: This is Ellie. We think maybe the 25th looks to be like it'll work.

DR. SCHNEIDER: I'm gone that entire week.

MS. PELAEZ: Oh, okay.

DR. LEE: The whole week of the 22nd, Mark?

DR. SCHNEIDER: Yes, that week.

DR. LEE: So --

DR. DARLING-HAMMOND: Maybe we could do a Wednesday where we work around the faculty meeting because the faculty meeting, whatever it is, is probably only an hour or two, right?

DR. LEE: That would be the 10th or the 24th. What time is your faculty meeting?

FEMALE VOICE: Sorry. My faculty meeting was on a Friday that was proposed, the 19th. On Wednesdays, I teach from 9 a.m. to 4 p.m.

MS. PELAEZ: Friday would be better then.

FEMALE VOICE: Yeah, that Friday, the 19th, yeah, that would be better. My meeting's from 9 a.m. to 10:30 a.m. Central, but I could join you.

DR. DARLING-HAMMOND: I may be chairing state board on the 19th, unfortunately.

DR. LEE: That's all day, Linda?

DR. DARLING-HAMMOND: It could be half a day, but I never know until we get up to it how long they're going to -- it depends on how many, you know, charter appeals and things like that we have to hear.

DR. SCHNEIDER: Well, can we get a promise from everybody to do a Doodle poll by tomorrow? Because this is not an effective way of doing this.

DR. LEE: So we can go ahead and do that. We're going to run up against the same problem, and I think what we need is just the criteria for going ahead and perhaps it should be the dates that the vast majority can attend because all the dates we've come up with --

DR. SCHNEIDER: Well, that was going to happen no matter what, right? You're never going to get a meeting, you know, in this short notice, and even with longer notice, there are going to be people, like, who teach from 9 to 4. I don't know how you can manage that.

DR. LEE: You should tell your dean you've been appointed by the President, so you get an exemption to get out of teaching, right?

All right. So let's do --

MALE VOICE: The 29th looks pretty good, right?

DR. LEE: Let's do it for both January and February and ask that everyone please commit to completing it by tomorrow so we can move ahead and get the Federal Register, whatever it is they need to know.

All right. Well, thanks, everyone. We finished an hour --

DR. HARPER: I had a question. I had a question for you.

DR. LEE: Sure.

DR. HARPER: It seems like we were really close on the 29th except for a faculty meeting. Is that still

the case?

DR. LEE: The 29th?

DR. HARPER: Yeah, working around the faculty meeting from 9 through 10:30 Central?

FEMALE VOICE: That was the 19th. I don't have anything on the 29th. I'm open.

DR. LEE: No one's mentioned the 29th. Does that work?

MALE VOICE: The 29th is good.

FEMALE VOICE: It's good for me.

DR. LEE: Yeah. All right. The 29th. See, Mark, we could do it. We didn't need to Doodle.

DR. SCHNEIDER: Well, I hate to say it, but I might not be here on the 29th. I'm not sure yet.

DR. LEE: Well, the purpose of that meeting involves you, so it has to be it. So we can go back to Doodle because the whole function of that was to entertain these policy issues that you were raising.

DR. SCHNEIDER: No, I understand. I understand that, and I don't mean to be difficult.

DR. LEE: I'm just saying relative to the date, one of the criteria is it has to be a date when you're

able to be there, so --

DR. SCHNEIDER: Right. So I'm sorry. What happened to the 19th?

DR. LEE: The 19th? Who was having a --

DR. DARLING-HAMMOND: That's when I have a state board meeting.

DR. LEE: All right.

DR. DARLING-HAMMOND: I'm sorry.

DR. LEE: So let's go back to the Doodle. We have a sense of the limitations on here. It'll be majority, but it also has to be one when Mark can be present because most of our conversation's going to be with him.

Denisa, did you have your hand up?

DR. GANDARA: It's not about scheduling, though. It was just a couple follow-ups.

DR. LEE: Okay. Go ahead and then we'll be finished.

DR. GANDARA: Okay. So I guess two related things. One, Carol, I think yesterday you mentioned we need to reply to those letters we received in the request for public comments, and I'm wondering what the next steps

are for that. Is that right? Did I understand that correctly?

DR. LEE: I think we do -- what I had stated publicly is that those recommendations would be taken up by the committee that's looking at the National Academy reports that's all about sets of recommendations, right?

So that was my attempt at least publicly to let them know that although we did not directly address them in the public meeting, they would be addressed by the committee.

And we can put together -- I can work with Ellie and put together a letter to send to them indicating that the follow-up will have to take place in February at the point when your committee begins to dig in to looking at recommendations across the board.

DR. GANDARA: Okay. And that was my other question was about whether we had any tasks on the committee for considering based on recommendations, if there's anything we should be working on in the interim before the next meeting, but it sounds like there isn't.

DR. LEE: I think working on the Academy

recommendations from those three reports is a big job because there's so many and part of that -- and so that's what we would like you to recommend on in the February meeting. And I think it would be part of one being very clear meeting with the various commissioners that they agree with the recommendations in the reports. And if they don't, then that's an issue certainly to raise and that hopefully that we should be in a position based on the analysis of recommendations that you all make to vote to approve the plans in place that the various centers have to take up the recommendations.

And in so doing, once we take that vote, I think to also report back to the authorship or committees of the three reports that we have, in fact, taken a position to support them and the efforts of the various centers to take them up.

DR. SCHNEIDER: Okay. So, again, you said three reports, but you're not going to do the NAEP report, so there are two reports, right?

DR. GANDARA: There's the 2019 report also that he wrote.

DR. SCHNEIDER: Oh, we want to do the '19 report

from 2019. Right.

DR. GANDARA: Right.

DR. SCHNEIDER: Okay. So I just want to put -- again, to put these reports from the Academies in perspective, that is, these did not come from -- you know, they did not come from heaven. IES authorized them, commissioned, them and paid for them, right. That's number one. And I'm not sure who paid for the 2019 one, but the two Academies' reports that are still -- that you're actively discussing were ones that we commissioned. That's number one.

And number two, you keep using the word "recommendations," which I need you to remember that's all this was. These were recommendations that are not binding in any way.

DR. LEE: But it's also from my --

DR. CARR: Let me just point out that NCES paid for the other report, but you may not have known that, Mark.

DR. SCHNEIDER: The one for '19?

DR. CARR: The Academy report.

DR. LEE: Well, let me just clarify from my

perspective that it is my understanding that the NBES stands as an advisory board to IES and, thus, any recommenda -- any issues that come out around evaluation of IES should be the purview of the Board to weigh in on, even though --

DR. SCHNEIDER: Right, but --

DR. LEE: -- even though IES paid for them.

DR. SCHNEIDER: Right. But the operative word is "recommendations." That's what I want to emphasize.

DR. LEE: Well, one of the issues that is going to be interesting to work through will be instances that may inevitably come up over our tenure as a board where the Board will have recommendations to IES and to you as the director that you or that IES doesn't agree with.

And so we've got to, you know, figure out, conceptualize and deal with how we address those issues. I think that involves the complex relationship between the very complicated charter about the relationship between the Board and IES.

If we're not able to enter into debates where the Board, you know, takes one position and the director or commissioners or others take different ones, then

there's no point in having us as a board. We're not simply -- you know, our job is to engage in that discussion, so I'm just saying --

DR. SCHNEIDER: No, no, look, and we're totally -- we are looking forward to the engagement, but, again, this is an advisory board, not a governing board.

I mean, you always have to keep that in mind, that the recommendations that you're making are recommendations and almost every one of the pathways goes through the director, right? Almost all your responsibilities are to advise the director on X, Y, and Z, so you do always have to keep -- you always have to keep that in mind. And, I mean, look, I mean, we're all here engaging with you, but that doesn't mean that you have the final say.

And the other thing is the -- and I'm just -- so the other thing and the justification or the basis for my statement is that you have a charter, but that charter cannot supersede the law. And the extent to which we believe -- and, again, this may just -- I'm sorry that -- I want a cordial relationship. I want a friendly relationship. I'm going to support you as much as I can

and I hope you support me as much as you can, but that we operate within the boundaries of the law and the charter cannot supersede what the law says is our relationship and the process by which you generate advice to the director.

DR. LEE: I'm very clear on that and I think you and I have discussed and gone back on that, and I think we have reached a good consensus around that.

I'm also just saying that part of that role in terms of advisement is IES also understanding that we have been appointed in this case by the White House to provide guidance and support. Obviously, we can't dictate anything that you or IES does, but I certainly would imagine that there are entities in the government who are watching how we operate, and I don't in any way anticipate that we would end up in a position where the Board would be strongly making some set of recommendations that the director simply -- you know what I mean -- ignored or pushed back on or whatever, but that won't speak well for any of us.

So it is at the end of the day I understand our role is advising, but, again, I'm sort of stepping

into, you know, Shaun's role that if there is not, you know, a sense of how we truly work through coming to agreement in some general sense, you know, on issues, that it also becomes -- I totally understand your position. I wouldn't want to be in your role. I wouldn't want to have to deal with such a board. I get that.

But the fact of the matter that exists is on the equal side of this is as Board members we also don't want to feel like we're doing this for nothing, that we're talking to, you know, an audience that doesn't listen in any way to anything we say. I don't expect that, but I do want to make clear that this is part of the balance that we're working through in part because we've been put into a position with a mandate that is very complicated and unclear in its hopeful intentions.

FEMALE VOICE: Can I just add also, Carol, that we were discussing the NAESM recommendations within the context of our task force's charge to develop a process to approve the priorities of the director of IES? And my understanding is that we do have statutory authority to approve the priorities of the director. Is that consistent with your understanding, Mark?

DR. SCHNEIDER: Yes. I mean, that is clearly spelled out as a function of the Board.

FEMALE VOICE: And I really like the idea, Carol, to engage with the director and with the commissioners to continue discussing responses and reactions to the recommendations of NAESM. We've spent a limited amount of time during this full Board meeting, but I would personally welcome the opportunity to continue those conversations.

DR. LEE: And so that's what we anticipate a good deal of the February meeting will be focused on, on that.

So conversation is always good. I think it is through, you know, wrestling with the virgin ideas that we actually come up with the best and most creative ways of thinking about issues.

So, with that, I'm going to call for a close to the meeting. Again, appreciate everybody's time and effort. I think this meeting has been really very, very, very productive, and so we're part of the reawakening of the National Board of Education Sciences. All right. Thanks, everybody.

MS. SULLIVAN: Do you need a motion to adjourn?

DR. DARLING-HAMMOND: Yes. Uh-huh.

MS. SULLIVAN: Motion to adjourn.

MR. GUY: Second.

DR. LEE: All in favor, say aye.

(Chorus of ayes.)

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(Whereupon, at 2:00 p.m., the meeting in the above-entitled matter was concluded.)

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REPORTER'S CERTIFICATE

CASE TITLE: National Board of Education Sciences
Open Public Virtual Meeting (Day Two)
HEARING DATE: December 5, 2023
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above matter before the Institute for Education Sciences.

Date: December 5, 2023

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