

The National Center for Education Statistics Needs Help

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THE ISSUE

The National Center for Education Statistics (NCES) is experiencing mission-critical problems. A recent example: even with funds provided by Congress, it was not until 18 months after the pandemic's start that NCES launched the School Pulse Survey to begin meeting urgent demands for data on how schools and students were affected. This example is one crucial indicator that NCES is stretched thin, falling behind, and at risk of foundering. It needs Congressional and Department of Education help.

NCES was first authorized in 1867 to provide statistics about the condition and progress of education; it is a primary source for data about schools and colleges, education finance, students, teachers, student progression, and student learning in the U. S. as well as internationally. While providing much useful information over the decades, NCES has not always been effective. In 1986 the National Academy of Sciences conducted a critical evaluation, concluding that NCES should be terminated and its functions assigned elsewhere unless there were significant reforms. In response to Academy recommendations, Congress authorized a strong legislative framework in the 1988 Hawkins-Stafford Act, and the Executive Branch implemented changes in NCES procedures, staff, statistical standards, and advisory structures.

A. NCES Needs to Keep Abreast of Changes in Data Sources and Be Relevant to User Needs

In 2022 the National Academies of Sciences, Engineering and Medicine issued a new report that set a seven-year vision for NCES to keep abreast of changes in data sources, upgrade its technology, and build data linkages, as well as to develop a strategic plan and make better use of contractors. The Academies' recommendations do not require Congressional action but would benefit from Congressional support.

We recommend:

1. *That Congress support activities to address the National Academies' recommendations in its committee reports and communications with the Executive Branch.*

B. NCES Lacks Basic Authority to Perform Consistent with OMB Statistical Policy Directive No. 1

When the Institute for Education Sciences was authorized in 2002, many critical features of the Hawkins-Stafford Act were removed from NCES and reassigned to IES, leaving NCES just one of several "centers" in that Institute. A provision recognizing the need for NCES professional autonomy was deleted. These changes crippled NCES' ability to conduct its affairs consistent with OMB SPD No. 1 (see box, below). Later legislation (2011) removed Senate confirmation from the Commissioner's appointment, leaving it as a Presidential appointment with no confirmation or career selection.

OMB and the FEDERAL STATISTICAL SYSTEM

Decentralized Federal statistics programs are coordinated under legislative mandates to the Director of OMB through the Chief Statistician's Office. In accordance with these mandates, OMB issues standards and guidelines for statistical agencies, including Statistical Policy Directive No. 1, which outlines attributes of statistical agencies that earn public trust:

- Agencies are impartial, avoiding even the appearance that statistical functions may be manipulated by inappropriate partisan actions.
- Staff members are selected for their scientific and technical knowledge and are trained in statistical methodology to plan, implement, analyze, and report data collections.
- Especially important, statistical units function in a professional environment that is separate and autonomous from other administrative, regulatory, law enforcement or policy-making activities.

We recommend:

1. *That Congress authorize NCES control, without external reviews, coordination or approval except by OMB, over all statistical functions, including design and conduct of data collections, analysis, review, and dissemination as well as related statistical IT and contracts and grants functions.*
2. *That Congress prohibit external review of NCES data acquisition and data release in a manner similar to a repealed Hawkins-Stafford provision that read:*
"No collection of information or data acquisition activity undertaken by the Center shall be subject to any review, coordination or approval procedure except as required by the Director of the Office of Management and Budget . . ."
 [For NCES, this would supersede current provisions of ESRA that establish those functions at the IES level for all of its component centers.]
3. *That Congress make explicit provisions in ESRA for NCES to be responsible to (a) formulate its budget needs and justify them before IES, the Department and OMB; (b) participate directly in defending the President's budget before Congress; and (c) have control, without intervention from IES or other ED officials, over decisions to manage its available funds, allocating them among NCES' continuing and new responsibilities.*
4. *That Congress modify the form of appointment of the NCES Commissioner of NCES; it should either be a Presidential appointment with Senate confirmation, as ASA has consistently recommended for several years, or should be made a career appointment.*
5. *That Congress authorize a high-level advisory body, in a manner determined by the Commissioner, with a charge to review NCES' statistical activities to ensure maintenance of a relevant agenda to inform the public as well as strong technical quality.*
6. *That the Department of Education collaborate with NCES to create internal operating procedures spelling out how the provisions above will be implemented, following in the spirit of procedural guidelines used in the Department of Commerce, available here: (https://www.osec.doc.gov/opog/dmp/daos/dao216_19.html)*

C. NCES Is Severely at Risk to Continue Even Current Activities Due to Department Failure to Acknowledge its Unique Aspects as a Federal Statistical Agency

NCES has responsibility for conduct of a direct Federal function—the gathering and reporting of statistics to inform the nation about the condition and progress of education. Not only is it responsible for fulfilling this function, it is directly accountable for its results. This requires in-house staff resources.

- The Center’s scope of studies is large: the website lists some 56 studies and of, including 26 elementary and secondary collections, 13 higher education collections, as well as 2 domestic and 8 international assessments of student and adult learning.
- The Center’s workload has increased over the past two decades as it took on management of the Common Education Data Standards and the Statewide Longitudinal Data systems grant program; in addition, the NAEP program and the Integrated Postsecondary Education Data System have been substantially expanded, and ED*Facts* was a large addition in 2013.
- In terms of funding, NCES is the third largest Federal statistical agency, following Census and BLS, with an annual budget of approximately \$300 million.
- Yet between 2010 and 2021, staff declined from 124 FTEs to just 90 FTEs.
- 2021 NCES data reported about ten contractors to supervise for each employee.

We recommend:

1. *That Congress act to specify that statistics and assessment appropriations can be used for necessary salaries and expenses, including staffing levels, for those functions.*
2. *That Congressional appropriations action transfer a portion of IES program administration funding and staff allocations to NCES for statistics and assessment administration.*
3. *That the Department of Education devise more flexible ways to use contractors, as recommended in the 2022 NASEM report.*

Routine Department operating procedures have other features that constrain NCES from fully performing its Federal statistical agency role. For example, Department procedures channel all communications with Congress through the budget or Congressional relations staff. This prevents NCES staff expert discussions about education statistical data directly with members and Congressional staff. Finally, Departmental actions that preclude an identifiable logo for NCES confuse the public about the responsible agency for statistical publications, failing to fix accountability clearly in NCES.

We recommend:

1. *That Congress authorize conversations with NCES experts among members and their staff to address education statistics topics, at least for the annual Condition of Education report and for topical studies requested by Congress.*
2. *That the Department take steps to ensure that NCES products and its website are clearly identified with the NCES name and logo.*