

Legislative Authority

No Child Left Behind (NCBL) Act of 2001, Pub. L. No. 107-110, 115 STAT.1425

PUBLIC LAW 107-110—JAN. 8, 2002, 115 STAT. 1425

**SECTION 1. SHORT TITLE.**

This title may be cited as the “No Child Left Behind Act of 2001”.

**“Subpart 3—Partnerships in Character Education**

**“SEC. 5431. PARTNERSHIPS IN CHARACTER EDUCATION PROGRAM.**

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to award grants to eligible entities for the design and implementation of character education programs that—

“(A) are able to be integrated into classroom instruction and to be consistent with State academic content standards; and

“(B) are able to be carried out in conjunction with other educational reform efforts.

“(2) ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means—

“(A) a State educational agency in partnership with—

“(i) one or more local educational agencies; or

“(ii) one or more—

“(I) local educational agencies; and

“(II) nonprofit organizations or entities, including an institution of higher education;

“(B) a local educational agency or consortium of local educational agencies; or

“(C) a local educational agency in partnership with one or more nonprofit organizations or entities, including an institution of higher education.

“(3) DURATION.—Each grant under this section shall be awarded for a period not to exceed 5 years, of which the eligible entity may not use more than 1 year for planning and program design.

“(4) AMOUNT OF GRANTS FOR STATE EDUCATIONAL AGENCIES.—

Subject to the availability of appropriations, the amount of a grant made by the Secretary to a State educational agency under this section shall not be less than \$500,000 if the State educational agency—

“(A) is in a partnership described in paragraph (2)(A); and

“(B) meets such requirements as the Secretary may establish under this section.

“(b) CONTRACTS UNDER PROGRAM.—

“(1) EVALUATION.—Each eligible entity awarded a grant

under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations, for the purposes of—

“(A) evaluating the program for which the assistance is made available;

“(B) measuring the integration of such program into the curriculum and teaching methods of schools where the program is carried out; and

“(C) measuring the success of such program in fostering the elements of character selected by the recipient under subsection (c).

“(2) MATERIALS AND PROGRAM DEVELOPMENT.—Each eligible entity awarded a grant under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations, for assistance in—

“(A) developing secular curricula, materials, teacher training, and other activities related to character education; and

“(B) integrating secular character education into the curricula and teaching methods of schools where the program is carried out.

“(c) ELEMENTS OF CHARACTER.—

“(1) SELECTION.—

“(A) IN GENERAL.—Each eligible entity awarded a grant under this section may select the elements of character that will be taught under the program for which the grant was awarded.

“(B) CONSIDERATION OF VIEWS.—In selecting elements of character under subparagraph (A), the eligible entity shall consider the views of the parents of the students to be taught under the program and the views of the students.

“(2) EXAMPLE ELEMENTS.—Elements of character selected under this subsection may include any of the following:

“(A) Caring.

“(B) Civic virtue and citizenship.

“(C) Justice and fairness.

“(D) Respect.

“(E) Responsibility.

“(F) Trustworthiness.

“(G) Giving.

“(H) Any other elements deemed appropriate by the eligible entity.

“(d) USE OF FUNDS BY STATE EDUCATIONAL AGENCY RECIPIENTS.—

Of the total funds received in any fiscal year under this section by an eligible entity that is a State educational agency—

“(1) not more than 3 percent of such funds may be used

for administrative purposes; and

“(2) the remainder of such funds may be used for—

“(A) collaborative initiatives with and between local educational agencies and schools;

“(B) the preparation or purchase of materials, and teacher training;

“(C) providing assistance to local educational agencies, schools, or institutions of higher education; and

“(D) technical assistance and evaluation.

“(e) APPLICATION.—

“(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) REQUIRED INFORMATION.—Each application for a grant under this section shall include (together with any other information that the Secretary may require) information that—

“(A) demonstrates that the program for which the grant is sought has clear objectives that are based on scientifically based research;

“(B) describes any partnerships or collaborative efforts among the organizations and entities of the eligible entity;

“(C) describes the activities that will be carried out with the grant funds and how such activities will meet the objectives described in subparagraph (A), including—

“(i) how parents, students, students with disabilities (including those with mental or physical disabilities), and other members of the community, including members of private and nonprofit organizations, will be involved in the design and implementation of the program and how the eligible entity will work with the larger community to increase the reach and promise of the program;

“(ii) curriculum and instructional practices that will be used or developed; and

“(iii) methods of teacher training and parent education that will be used or developed;

“(D) describes how the program for which the grant is sought will be linked to other efforts to improve academic achievement, including—

“(i) broader educational reforms that are being instituted by the eligible entity or its partners; and

“(ii) State academic content standards;

“(E) in the case of an eligible entity that is a State educational agency, describes how the State educational agency—

“(i) will provide technical and professional assistance to its local educational agency partners in the

development and implementation of character education programs; and

“(ii) will assist other interested local educational agencies that are not members of the original partnership in designing and establishing character education programs;

“(F) describes how the eligible entity will evaluate the success of its program—

“(i) based on the objectives described in subparagraph (A); and

“(ii) in cooperation with any national evaluation conducted pursuant to subsection (h)(2)(B)(iii); and

“(G) assures that the eligible entity annually will provide to the Secretary such information as may be required to determine the effectiveness of the program.

“(f) SELECTION OF RECIPIENTS.—

“(1) PEER REVIEW.—

“(A) IN GENERAL.—In selecting eligible entities to receive grants under this section from among the applicants for such grants, the Secretary shall use a peer review process that includes the participation of experts in the field of character education and development.

“(B) USE OF FUNDS.—The Secretary may use funds appropriated under this section for the cost of carrying out peer reviews under this paragraph.

“(2) SELECTION CRITERIA.—Each selection under paragraph (1) shall be made on the basis of the quality of the application submitted, taking into consideration such factors as—

“(A) the extent to which the program fosters character in students and the potential for improved student academic achievement;

“(B) the extent and ongoing nature of parental, student, and community involvement;

“(C) the quality of the plan for measuring and assessing success; and

“(D) the likelihood that the objectives of the program will be achieved.

“(3) EQUITABLE DISTRIBUTION.—In making selections under this subsection, the Secretary shall ensure, to the extent practicable under paragraph (2), that the programs assisted under this section are equitably distributed among the geographic regions of the United States, and among urban, suburban, and rural areas.

“(g) PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND

TEACHERS.—Each eligible entity that receives a grant under this section shall provide, to the extent feasible and appropriate, for the participation in programs and activities under this section of

students and teachers in private elementary schools and secondary schools.

“(h) EVALUATION AND PROGRAM DEVELOPMENT.—

“(1) STATE AND LOCAL REPORTING AND EVALUATION.—Each eligible entity receiving a grant under this section shall submit to the Secretary a comprehensive evaluation of the program assisted under this section, including its impact on students, students with disabilities (including those with mental or physical disabilities), teachers, administrators, parents, and others—

“(A) by the end of the second year of the program;

and

“(B) not later than 1 year after completion of the grant period.

“(2) NATIONAL RESEARCH, DISSEMINATION, AND EVALUATION.—

“(A) IN GENERAL.—

“(i) AUTHORIZATION.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies or local educational agencies, institutions of higher education, tribal organizations, or other public or private agencies or organizations to carry out research, development, dissemination, technical assistance, and evaluation activities that support or inform State and local character education programs.

“(ii) RESERVATION OF FUNDS.—The Secretary shall reserve not more than 5 percent of the funds made available under this section to carry out this paragraph.

“(B) USES.—Funds made available under subparagraph (A) may be used for the following:

“(i) Conducting research and development activities that focus on matters such as—

“(I) the extent to which schools are undertaking character education initiatives;

“(II) the effectiveness of instructional models for all students, including students with disabilities (including those with mental or physical disabilities);

“(III) materials and curricula for use by programs in character education;

“(IV) models of professional development in character education;

“(V) the development of measures of effectiveness for character education programs (which may include the factors described in paragraph (3));

and

“(VI) the effectiveness of State and local programs receiving funds under this section.

“(ii) Providing technical assistance to State and local programs, particularly on matters of program evaluation.

“(iii) Conducting evaluations of State and local programs receiving funding under this section, that may be conducted through a national clearinghouse under clause (iv).

“(iv) Compiling and disseminating, through a national clearinghouse or other means—

“(I) information on model character education programs;

“(II) information about high quality character education materials and curricula;

“(III) research findings in the area of character education and character development; and

“(IV) any other information that will be useful to character education program participants nationwide, including educators, parents, and administrators.

“(C) PARTNERSHIPS.—In carrying out national activities under this paragraph, the Secretary may enter into partnerships with national nonprofit character education organizations and institutions of higher education with expertise and successful experience in implementing—

“(i) character education programs that had an effective impact on schools, students, students with disabilities (including those with mental or physical disabilities), and teachers; or

“(ii) character education program evaluation and research.

“(D) PARTNERSHIP FOR ACTIVITIES UNDER SUBPARAGRAPH (B)(iv).—In carrying out national activities under subparagraph (B)(iv), the Secretary may enter into a partnership with a national nonprofit character education organization that will disseminate information to educators, parents, administrators, and others nationwide, including information about the range of model character education programs, materials, and curricula.

“(E) REPORT.—Each entity awarded a grant or entering into a contract or cooperative agreement under this paragraph shall submit an annual report to the Secretary that—

“(i) describes the entity’s progress in carrying out research, development, dissemination, evaluation, and technical assistance under this paragraph;

“(ii) identifies unmet and future information needs in the field of character education; and

“(iii) if applicable, describes the progress of the

entity in carrying out the requirements of subparagraph (B)(iv), including a listing of—

“(I) the number of requests for information received by the entity in the course of carrying out such requirements;

“(II) the types of organizations making such requests; and

“(III) the types of information requested.

“(3) FACTORS.—Factors that may be considered in evaluating the success of programs funded under this section include the following:

“(A) Discipline issues.

“(B) Student academic achievement.

“(C) Participation in extracurricular activities.

“(D) Parental and community involvement.

“(E) Faculty and administration involvement.

“(F) Student and staff morale.

“(G) Overall improvements in school climate for all students, including students with disabilities (including those with mental or physical disabilities).

“(i) PERMISSIVE MATCH.—

“(1) IN GENERAL.—The Secretary may require eligible entities to match funds awarded under this section with non-Federal funds, except that the amount of the match may not exceed the amount of the grant award.

“(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

“(A) the poverty of the population to be targeted by the eligible entity; and

“(B) the ability of the eligible entity to obtain funding for the match.

“(3) IN-KIND CONTRIBUTIONS.—The Secretary shall permit eligible entities to match funds in whole or in part with inkind contributions.

“(4) CONSIDERATION.—Notwithstanding this subsection, the Secretary in making awards under this section shall not consider the ability of an eligible entity to match funds.

## Education Science Reform Act of 2002

### **SEC. 102. DEFINITIONS.**

(18) SCIENTIFICALLY BASED RESEARCH STANDARDS.—(A) The term “scientifically based research standards” means research standards that—

(i) apply rigorous, systematic, and objective methodology

to obtain reliable and valid knowledge relevant to education activities and programs; and

(ii) present findings and make claims that are appropriate to and supported by the methods that have been employed.

(B) The term includes, appropriate to the research being conducted—

(i) employing systematic, empirical methods that draw on observation or experiment;

(ii) involving data analyses that are adequate to support the general findings;

(iii) relying on measurements or observational methods that provide reliable data;

(iv) making claims of causal relationships only in random assignment experiments or other designs (to the extent such designs substantially eliminate plausible competing explanations for the obtained results);

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

(vi) obtaining acceptance by a peer-reviewed journal or approval by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

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

(19) SCIENTIFICALLY VALID EDUCATION EVALUATION.—The term “scientifically valid education evaluation” means an evaluation that—

(A) adheres to the highest possible standards of quality with respect to research design and statistical analysis;

(B) provides an adequate description of the programs evaluated and, to the extent possible, examines the relationship between program implementation and program impacts;

(C) provides an analysis of the results achieved by the program with respect to its projected effects;

(D) employs experimental designs using random assignment, when feasible, and other research methodologies that allow for the strongest possible causal inferences when random assignment is not feasible; and

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

(20) SCIENTIFICALLY VALID RESEARCH.—The term “scientifically valid research” includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with scientifically

based research standards.

(21) SECRETARY.—The term “Secretary” means the Secretary of Education.

(22) STATE.—The term “State” includes (except as provided in section 158) each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the freely associated states, and the outlying areas.

(23) TECHNICAL ASSISTANCE.—The term “technical assistance” means—

(A) assistance in identifying, selecting, or designing solutions based on research, including professional development and high-quality training to implement solutions leading to—

(i) improved educational and other practices and classroom instruction based on scientifically valid research; and

(ii) improved planning, design, and administration of programs;

(B) assistance in interpreting, analyzing, and utilizing statistics and evaluations; and

(C) other assistance necessary to encourage the improvement of teaching and learning through the applications of techniques supported by scientifically valid research.

## **PART A—THE INSTITUTE OF EDUCATION SCIENCES**

### **SEC. 112. FUNCTIONS.**

From funds appropriated under section 194, the Institute, directly or through grants, contracts, or cooperative agreements, shall—

(1) conduct and support scientifically valid research activities, including basic research and applied research, statistics activities, scientifically valid education evaluation, development, and wide dissemination;

(2) widely disseminate the findings and results of scientifically valid research in education;

(3) promote the use, development, and application of knowledge gained from scientifically valid research activities;

(4) strengthen the national capacity to conduct, develop, and widely disseminate scientifically valid research in education;

(5) promote the coordination, development, and dissemination of scientifically valid research in education within the Department and the Federal Government; and

(6) promote the use and application of research and development to improve practice in the classroom.