

September 30, 2025

The Honorable Linda McMahon  
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202  
Via <https://www.federalregister.gov>

Docket ID ED-2025-IES-0844

Dear Secretary McMahon:

President Donald Trump has instructed your agency to “take all necessary steps to facilitate the closure of the Department of Education” using her authority to “the maximum extent appropriate and permitted by law.”<sup>1</sup> As your and your staff consider such steps, you have already indicated that some department functions will be maintained and moved to other agencies. Some responsibilities will be transferred to other federal offices, such as adult education programs, which department officials moved to the U.S. Department of Labor under an inter-agency agreement.<sup>2</sup>

This comment provides policy guidance on the future of programs maintained by the Institute of Education Science (IES), the research arm of the Education Department (Request for Information; Feedback on Redesigning the Institute of Education Sciences (IES) Docket ED-2025-IES-0844).<sup>3</sup> The office gathers data on students and schools, including data on K–12 schools and postsecondary institutions. IES officials also commission evaluations of education policies and practices from third parties and recommend best practices for educators and education policymakers.

### **What to Eliminate**

For decades, IES and the Education Department have strayed into responsibilities that properly belong to parents and state and local education officials—that overreach must end. In particular, the IES’s What Works Clearinghouse (WWC), which ostensibly adjudicates the evidence supporting different educational policies and practices and makes recommendations about which ones it believes are best, and its 10 Regional Education Laboratories (RELs), should be closed. Both functions are beyond the appropriate scope of federal activity. Concerning the WWC, federal policymakers should not host a “truth committee”<sup>4</sup> that declares which competing educational policies and practices should be adopted nationwide based on their potentially biased interpretation of the research. Similar activities are performed by RELs, which are regional offices that perform “training, coaching, and technical support” for educators.<sup>5</sup> The RELs date back to 1965 and were most recently reauthorized by Congress under the Education Sciences Reform Act (ESRA) of 2002; Congress should repeal this ESRA mandate.

To the extent that examining and recommending educational policies and practices to improve outcomes may be desirable, those tasks should be performed by researchers at the state or local levels, as well as by private-sector academics, analysts, and policymakers. Parents and state policymakers have the ultimate responsibility for providing students with quality learning experiences, not federal officials.

Social science is not sufficiently rigorous to warrant government endorsement, even if it were appropriate to develop national policy positions. The “laboratory of the states” should decide answers to these policy questions based on the choices that parents make for their children’s education and the outcomes observed and measured by public and private researchers and state and local policymakers, not federal bureaucrats backed by favored groups of researchers. These researchers may seek federal funding, which tempts them to manipulate their research to please the federal bureaucrats. State and local officials, along with taxpayers, should be free to use research produced by state-based public or private organizations to make education policy decisions; they do not need a federal filter to determine the efficacy of social science experiments.

Similarly, IES and Education Department actions that involve conducting or commissioning their own evaluations of educational policies or practices are inappropriate. As much as these activities are presented as scientific endeavors, they are ultimately political in nature and prone to intellectual corruption. University and other researchers should conduct their own studies without commandeering the authority of the federal government to arrive at their own competing judgments about what policies and practices are effective. Education policy involves too many legitimate disagreements about values and priorities, so federal policymakers should not be tilting the scale of state policy debates about those issues. Again, taxpayers and parents, along with state and local policymakers, should be free to evaluate these arguments and evidence without the federal government pushing them toward favored policies and practices.

## **What to Keep**

While some tasks performed by the IES should be discontinued, others are constitutionally appropriate and should be continued as federal policymakers abolish the Education Department. Constitutionally appropriate IES tasks include data collection that is necessary for civil rights enforcement and to allow others to conduct basic research. These functions describe those performed by the predecessor of the Education Department, the Office of Education, which was a federal agency created in the mid-19th century.

Most of these responsibilities are housed within the National Center for Education Statistics (NCES), which resides within the IES. The NCES compiles the Common Core of Data (CCD), which contains K–12 school attainment, enrollment, and staffing information, and the Integrated Postsecondary Education Data System (IPEDS), which provides enrollment and staffing information for higher education and conducts the National Assessment of Educational Progress (NAEP), which offers comparable measures of student achievement in math and reading and other core subjects across states over time.

The NCES, the IPEDS, and the NAEP contribute both to civil rights enforcement and basic research, so their continuation is appropriate and desirable. Information on enrollment, achievement, and attainment disaggregated by race might reveal patterns of segregation that would warrant further investigation for civil rights enforcement, especially now that the Supreme Court in *Students for Fair Admissions v. Harvard* has made clear that so-called reverse discrimination against whites and Asians is just as unlawful as discrimination against blacks in education.

The civil rights enforcement facilitated by federal education data collection should be strengthened. The Trump Administration has proposed that the IES collect information from all colleges and universities on applicant SAT or ACT scores, grade point averages, and admissions status broken out by racial categories and provide the data in the publicly accessible IPEDS.<sup>6</sup> Such information would allow state and federal lawmakers to measure whether colleges are adhering to the U.S. Supreme Court ruling that prohibits the use of racial preferences in college admissions decisions.<sup>7</sup>

An important caveat, however, is that while some educational institutions should be required to collect and report racial data, they should likewise be prohibited from having access to such data beyond what is necessary to fulfill reporting obligations to prevent covert racial balancing efforts by school officials.

Ironically, some of the most prominent opponents of cuts at the IES oppose this addition to IPEDS data collection. They insist that the IES does not have the capacity to collect college admissions data and, even if it could, the information would not be useful for identifying potential discrimination.<sup>8</sup> Neither objection is valid and their opposition suggests an ideologically motivated concern that the new information would halt the use of racial preferences and may prove embarrassing to their university employers. The new IES office or the office that will fulfill the IES's necessary and lawful functions should have the capacity to collect university admissions data and retain necessary staff to do so. A proper analysis of the data comparing the probability of admission for similarly credentialed applicants of different racial or ethnic backgrounds could reveal potential discrimination.

## **Policy Recommendations**

In order to close the U.S. Department of Education while maintaining its legitimate functions, your office should:

- Relocate the retained IES functions to the Bureau of Labor Statistics or the U.S. Census Bureau. The education data that the IES should continue to collect are akin to the information collected by the Bureau of Labor Statistics (BLS) and the U.S. Census Bureau. These data-gathering functions involve drawing representative samples from the general population and administering survey data collection. The information collected by the BLS and the retained IES functions outlined in this comment have implications for basic research and civil rights enforcement. Alternatively, the retained IES functions could be located within the U.S. Census Bureau, which also involves sampling and

surveying.

- Direct the IES to continue administering the Nation's Report Card, also known as the National Assessment of Educational Progress (NAEP), and reporting results. Officials should maintain the NAEP's long-term trend (LTT) assessment, as it measures comparable year-by-year scores of students at ages nine, 13, and 17.
- Direct the IES to continue to gather—and to release—student achievement results according to family status, specifically whether a child's parents are married, divorced, or single. Currently, the agency does not make data on student family status easily accessible. For decades, research has demonstrated that a child's family status is more closely related to levels of achievement than any school-related policies.<sup>9</sup> The IES should collect and release this data for research use.
- Continue the IPEDS and Common Core of Data databases. Collecting descriptive information on schools and universities disaggregated by race has important and appropriate uses for research and civil rights enforcement. However, reporting institutions should be prohibited from having access to the data outside these functions.
- Discontinue the What Works Clearinghouse and evaluation functions. The federal government should collect descriptive education information necessary for basic research and civil rights enforcement but should not opine on the effectiveness of various educational policies and practices. Education policy decisions are appropriately left to parents and state and local policymakers, and judgments about the effectiveness of different policies and practices should be left to the marketplace of ideas without federal endorsement or sanction.

To maintain legitimate federal education functions, Congress should:

- Consider proposals that solidify the IES's new responsibilities and organizational structure in federal law, including the new directive from the White House requiring the IES to collect additional data on postsecondary applications for civil rights purposes. Since executive orders can be overturned by succeeding Administrations, Members of Congress should consider proposals to confirm the IES's new location and responsibilities as the Education Department downsizes and sunsets the agency's operations. Some IES functions, such as RELs, can only be changed via statute, so Members should consider proposals that close these offices.

The IES can serve important and appropriate functions by collecting and reporting descriptive information at the K–12 and postsecondary levels. Education Department officials should move the IES or the office's necessary responsibilities to another agency well-suited to data collection and reporting, such as the Bureau of Labor Statistics or the U.S. Census Bureau as you and the White House close the U.S. Department of Education and return authority to parents and local and state education officials.

Sincerely,

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1. President Donald J. Trump, Executive Order 14242, "Improving Outcomes by Empowering Parents, States, and Communities," March 25, 2025, *Federal Register*, Presidential Documents, Vol. 90, No. 56 (March 25, 2025), pp. 13679–13680, <https://www.govinfo.gov/content/pkg/FR-2025-03-25/pdf/2025-05213.pdf> (accessed August 26, 2025).
  2. News release, "U.S. Department of Education and U.S. Department of Labor Implement Workforce Development Partnership," U.S. Department of Education, July 15, 2025, <https://www.ed.gov/about/news/press-release/us-department-of-education-and-us-department-of-labor-implement-workforce-development-partnership> (accessed August 26, 2025).
  3. Institute of Education Sciences, "About Us," <https://ies.ed.gov/about> (accessed August 26, 2025).
  4. Jay P. Greene, "What Doesn't Work Clearinghouse," *Education Next*, October 4, 2010, <https://www.educationnext.org/what-doesnt-work-clearinghouse/> (accessed August 26, 2025).
  5. Institute of Education Sciences, "Regional Education Laboratories: Overview," <https://ies.ed.gov/use-work/regional-educational-laboratories-rel> (accessed August 26, 2025).
  6. The White House, "Ensuring Transparency in Higher Education Admissions," Executive Order, August 7, 2025, <https://www.whitehouse.gov/presidential-actions/2025/08/ensuring-transparency-in-higher-education-admissions/> (accessed August 26, 2025).
  7. *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. \_\_\_\_ (2023), [https://www.supremecourt.gov/opinions/22pdf/20-1199\\_hgdj.pdf](https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf) (accessed August 26, 2025).
  8. Jill Barshay, "Inaccurate, Impossible: Experts Knock New Trump Plan to Collect College Admissions Data," *The Hechinger Report*, August 18, 2025, <https://hechingerreport.org/proof-points-new-college-admissions-data-collection/> (accessed August 26, 2025).
  9. For a history and analysis of results demonstrating the correlation between family status and student achievement, see "Revisiting the Coleman Report," *Education Next*, Special Feature, Vol. 16, No. 2 (Spring 2016), <https://www.educationnext.org/revisiting-the-coleman-report/> (accessed August 26, 2025).