

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Blackwell, Morton: Files

Folder Title: Education (7 of 10)

Box: 8

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>



UNITED STATES DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
WASHINGTON, D.C. 20208

Special Instructions for Preparing an Unsolicited Proposal to the
National Institute of Education

The following is an evaluation of a "sample proposal" that was selected for funding by the National Institute of Education. The proposal precedes the evaluation and is intended as a guide for substance and not for content. In an effort to expand our outreach to the vast field of educators it has come to our attention that many excellent research ideas are not pursued or not given the consideration they deserve because of a lack of knowledge about the format for submitting a proposal for a federal grant. Included in this packet is also NIE's official guidelines for submitting Unsolicited Proposals.

These grants and evaluations are intended as an aid and not as a model to be followed exactly since the content of the proposal will to a large degree set the format. These proposals are samples of the type of material submitted to the Department and the types of questions asked by reviewers evaluating the proposals.

The announced criteria for the Unsolicited Proposals are : (1) significance of the proposed research for American education, 35 points; (2) quality of the proposed research projects, 35 points; (3) qualification of the principal investigator and other professional staff, 20 points; (4) adequacy of facilities and arrangements, 5 points; and (5) reasonableness of the budget, 5 points. This criteria was used to evaluate the following proposals.

The proposal itself includes a problem statement; a section elaborating on the nature of and prior research on the problem; a section linking the problem, prior and proposed research; descriptions of and reasons for choosing the subjects, teaching materials, experimental design; experimental procedures; data analysis plans; implications for knowledge and practice; information on facilities and arrangements; and dissemination plans and vistas for professional staff.

All the information required for the reviewers to rate the proposal according to the announced criteria was available in a well-organized and complete fashion. The presentation was professional: well-written, with appropriate use of terms, which succinctly convey meaning to other researchers in the field (e.g., "meta-cognitive understanding", "structured interviews", "self-monitoring skills"). References were complete and in the format generally used by professional journals: The American Psychological Association guidelines on use of human subjects, parental and informed consent, and confidentiality were considered. While such indicators are not simple pass/fail items, cumulatively proposals with characteristics such as these suggest greater professional competence to carry out and publish a quality study than proposals with without them.

High ratings, for this proposal were based on:

- the direct application of research to classroom instructional improvement
- the thoroughness of review of prior pertinent work
- the reviewers' sense that the theoretical work on metacognition and reading comprehension was at a point where an experimental instructional study was appropriate
- the reviewer's sense that the instructional strategy was so well-defined, well-designed and well-grounded in prior research that it probably would be successful
- the prior research experience of the applicants was appropriate for the area, of high quality, and at levels suggesting their ability to manage a large field study of the size and nature proposed

Although these features were not commented on by the reviewers, they also may have been impressed by:

- a. The use of two control groups in the design, one involving participant and non-participant teachers within the same building and the other involving participant and non-participant teachers in different buildings.
- b. The provision of a sample instructional module and sample outcomes measures, permitting judgement about the likely quality and appropriateness of both.
- c. An appropriate mix of outcome measures, with both generally used reading comprehension tests such as the California Achievement Tests and the Gates/MacGenetic, which aids cumulation of findings across studies and techniques in general research use such as the cloze procedure.
- d. Cautiousness and an element of critical analysis is exemplified by the discussion on pages eight and nine of problems in evaluating children's implicit theories of reading. This indicates sensitivity to alternative interpretations of data.

Enthusiasm for these features led to notably high scores. However, these specific reviewers also flagged areas for further discussion prior to an award of NIE funds. These included:

- concerns over adequate attention to the assumptions of prior stipulation of casual ordering required for application of the path analytic and structural equation models specified in the data analysis section
- concern for generalizability of findings, absent information on the children's ethnic, language and social class backgrounds
- whether competing interpretations of possible effects, such as greater inservice training for the experimental teachers are more time spent teaching reading, were adequately controlled by a no special treatment comparison design, and the need, at the least, for detailed information on the nature and extent of reading instruction given to control group students
- whether data from the classes of the four "old" teachers who had participated enthusiastically in earlier studies should be analyzed with data from the new participating teachers

As this illustrates, even a proposal judged very favorably by reviewers may not have all of the information needed before a final award is made. A quality proposal, however, gives reviewers enough information, and that information is sufficiently persuasive according to the announced criteria, to be selected for negotiation. Cumulatively, the proposal convinced reviewers that the potential contribution to knowledge and practice was high, that the methodology was good enough to permit convincing conclusions, had no fatal flaws, and that the researchers' prior accomplishments and attention to detail in the submission indicated they could handle any new problems arising in the course of research.

September 1981

INFORMATION STATEMENT ON UNSOLICITED PROPOSALS

A. Policy on Unsolicited Proposals

The National Institute of Education (NIE) was established by Congress to support the policy of the United States to provide every person an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, national origin, or social class. Further, NIE is responsible for:

1. helping to solve or to alleviate the problems of, and promote the reform and renewal of, American education;
2. advancing the practice of education as an art, science, and profession;
3. strengthening the scientific and technological foundations of education; and
4. building an effective educational research and development system.

NIE awards most of its funds through competitions based on Requests for Proposals or Grants Program Announcements in specific areas that have been determined, in consultation with leading educators and investigators, to be important in addressing the problems of American education. However, NIE believes that reserving some funds for unsolicited proposals provides a potentially important means of identifying other outstanding projects which will help fulfill the Institute's mission.

It is the policy of the Institute to encourage eligible individuals and groups to develop unique ideas relevant to the Agency's mission and to submit such ideas as unsolicited proposals. Consequently, the National Council on Educational Research, NIE's policy-making body, has urged that from 3 to 5% of the Institute's budget be available for the support of unsolicited proposals. Competition for these funds is intense.

For example, of 407 proposals submitted between May 1, 1979, and June 30, 1980, funds were available to support only 39 proposals, less than 10%.

Unsolicited proposals are evaluated according to criteria set forth in Section D2b of this statement. In addition, they must meet one or more of the following conditions:

1. The effort represents a unique opportunity for use of resources or conditions to conduct research or development with potential for important advancement of knowledge;

2. The effort addresses an NIE priority in a more promising way than already planned work;

3. The effort addresses an NIE priority by complementing already planned work with an alternative, perhaps contrary, approach to the problem.

Furthermore, the proposal must be truly unsolicited, that is, it must not be the result of a formal or informal request from NIE staff.

B. Funding Priorities

1. The Agency normally funds unsolicited proposals in the range of \$10,000 to \$100,000, and in most cases, for a duration of only one year. The Agency thereby hopes to expand the range of topics and perspectives supported by the Institute through smaller awards.

2. NIE is committed to the support of basic research activities in all its programs, and also hopes to build a broader community of researchers concerned with educational problems. For the latter reason, NIE is particularly interested in receiving proposals from individuals and institutions who may not have sought support from its programs in the past.

3. In the next several years, the Institute will emphasize support of research relating to issues of equity in all types of educational institutions and settings, and studies which will lead to the improvement of local educational practice.

C. Application Procedures

1. Deadlines - NIE will accept unsolicited proposals at any time, but proposals will be consolidated for competitive review and funding decisions will be made according to the following schedule: Funding decisions for proposals received by February 4, 1982 will be made by July 15, 1982; Funding decisions for proposals received between February 5, 1982 and February 3, 1983, will be made by July 15, 1983. (See also Section C6: Proposal Submission).

2. Eligible Applicants - A college, university, state department of education, local educational agency, other public or private non-profit or for-profit agency, organization, group, or individual or any combination of these is an eligible applicant. A grant to a for-profit organization is subject to any special conditions that the Director of NIE may prescribe.

3. Format - NIE does not require the use of any particular application form, but all proposals should be clearly labelled "Unsolicited Proposal," and include the following basic information:

- a. A cover sheet, signed by the applicant, noting the title of the proposal, date of submission, and institutional affiliation, if any.
- b. A one-page abstract summarizing the purpose, design, and significance of the proposed research. (See Attachment B for abstract specifications)
- c. A narrative section, presenting a clear rationale for the proposed research, placing it in the context of existing knowledge, current educational practice, and related research. The methodology should be explained in detail, with instruments and data analysis procedures clearly described. The proposal also should discuss the implications of the research for policy-makers and/or school practitioners, and describe how the findings or other outcomes of the proposed work will be disseminated.
- d. Resumes of key staff.
- e. Budget, including detailed information showing the basis for estimating the Federal funds requested for each line-item.
- f. Certification Statement (Attachment A.)

4. Eligible Areas of Research - NIE support is restricted to research and development projects, including both basic and applied research, in the field of education. The following types of projects are not eligible for funding as unsolicited proposals, except to the extent that they are necessary for the conduct of eligible research:

- a. Operation of an educational program or service (ineligible);
- b. Improvement of an educational program through the implementation of a new or improved instructional, administrative, or managerial procedure, technique, materials, training, or piece of equipment (ineligible);
- c. Litigation, research in support of litigation, or other direct legal advisory activity (ineligible);
- d. Legal advice on the implementation of particular education laws or regulations (ineligible);
- e. Projects which duplicate those already existing (ineligible);
- f. Projects which offer standard services or routine analyses in accordance with existing practices (ineligible); and

g. Projects which in substance closely resemble a pending competitive solicitation (ineligible). The proposal will be returned or transferred to the pending competition after consultation with the applicant.

5. Concept Papers - Before submitting full proposals, applicants may, if they wish, submit concept papers briefly describing the purpose, design, and significance of the proposed research. NIE will respond by indicating interest or disinterest in reviewing a full proposal. An encouraging reply does not imply any funding commitment, and a discouraging reply does not bar the submission of a full proposal.

6. Proposal Submission - Concept papers and full proposals should be sent to the NIE Proposal Clearinghouse, Room 813, 1200 19th Street, N.W., National Institute of Education, Washington, D.C., 20208. Seven copies of a full proposal are required. All applications will be acknowledged by the Clearinghouse upon receipt. Each late offeror will be notified that the late proposal will not be considered in the current review cycle, but will be considered in the next cycle.

a. Proposals Delivered by Mail - A proposal sent by mail must be addressed to the Proposal Clearinghouse, National Institute of Education, Room 813, 1200 19th Street, N.W., Washington, D.C. 20208. Full proposals will be accepted only if they are mailed on or before the closing date and the following proof of mailing is provided:

Proof of mailing must consist of a legible U.S. Postal Service dated postmark or a legible mail receipt with the date of mailing stamped by the U.S. Postal Service. Private metered postmarks or mail receipts will not be accepted without a legible date stamped by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Offerors should check with their local post office before relying on this method.

Offerors are encouraged to use registered or first-class mail.

b. Proposals Delivered by Hand - A proposal that is hand-delivered must be taken to the Proposal Clearinghouse, National Institute of Education, Room 813, 1200 19th Street, N.W., Washington, D.C. The Proposal Clearinghouse will accept hand-delivered proposals between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

D. Unsolicited Proposal Process

1. Regulations - All awards made by the National Institute of Education in response to unsolicited proposals are funded under the general provisions of Title 45 of the Code of Federal Regulations, Part 1400 - 1410 as amended and published in the Federal Register on April 3, 1980; 45 FR 22543, and the Education Division General Administrative Regulations (EDGAR) of Title 45 of the Code of Federal Regulations, Parts 100a and 100c as published in the Federal Register on April 3, 1980; 45 FR 22494. Copies of these regulations are available on request from the Office of Administration, Management, and Budget, NIE.

2. Proposal Review and Criteria

a. After an initial NIE staff screening for eligibility, proposals will be reviewed in competition with one another by non-NIE experts especially qualified in relevant areas of educational research and practice.

b. Evaluation of proposals will be based on the following criteria:

(1) Significance of the proposed research for American education, including such concerns as:

(a) Importance of the research from the standpoint of American education problems, or additions to basic knowledge;

(b) Importance of the research from the standpoint of its contribution to enhancing excellence in American education;

(c) Likely magnitude of the addition that will be made to knowledge and the improvement of practice if the project is successful, including the generalizability of the results.

(35 points maximum)

(2) Quality of the proposed research project, including such considerations as:

(a) adequacy of design, methodology, and instrumentation, where appropriate;

(b) likelihood of success of the project;

(c) extent to which the application exhibits thorough knowledge of pertinent previous work and relates the proposed work to it;

- (d) evidence that, where appropriate, the perspectives of a variety of disciplines are combined;
- (e) evidence that, where appropriate, there is collaboration between investigators and practitioner in defining research questions and conducting research;
- (f) evidence that the research is conducted in a manner that benefits the participants in research settings.

(35 points maximum)

- (3) Qualifications of the principal investigator and other professional personnel, including such concerns as:

- (a) experience and previous research productivity;
- (b) quality of the discussion and analysis in the application;
- (c) evidence of awareness and sensitivity to the special concerns of any target population to benefit from the research;
- (d) evidence that the practical and research experience of the principal investigators and others are appropriate for the topics, subjects and settings of the study.

(20 points maximum)

- (4) Adequacy of the facilities and arrangements available to the investigator(s) to conduct the proposed study.

(5 points maximum)


- (5) Reasonableness of the budget for the work to be done and the anticipated results.

(5 points maximum)

Reviewers will be required to write a concise description of the major strengths and weaknesses of the proposal.

c. Final decisions on funding will be made by the Director of NIE, after consideration of the views of both NIE staff and outside reviewers.

d. Further information about the unsolicited proposal process or the status of individual proposals can be obtained from Unsolicited Proposal Coordinator Warren Kaufman (Tel.: (202)-254-7920).



John W. Christensen, Associate Director
for Administration, Management and Budget



Attachment A

UNSOLICITED PROPOSAL CERTIFICATION BY OFFEROR

This is to certify, to the best of my knowledge and belief, that:

- A. This proposal has not been prepared under Government supervision.
- B. The method and approaches stated in the proposal were developed by this offeror.
- C. Any contact with employees of the Department of Education has been within the limits of appropriate advance guidance.
- D. No prior commitments were received from Departmental employees regarding acceptance of this proposal.

DATE: _____

ORGANIZATION: _____

NAME: _____

TITLE: _____

SIGNATURE: _____

(This certification shall be signed by a responsible official of the proposing organization or a person authorized to contractually obligate the organization.)



Attachment B

Specifications for Project Abstracts

Clarity: Abstracts of NIE-sponsored projects will be read by various audiences, including persons largely unfamiliar with research methods and terminology. Therefore, the abstracts should be written in plain English, avoiding technical jargon to the fullest extent possible.

Brevity: Abstracts should not exceed 200 words. They are intended to provide a general understanding of what the projects are about, not detailed explanations. Each sentence should say something worth knowing

Contents: While the abstracts' contents should vary to include information most salient to each project, each abstract should say something about each of the following topics:

- o subject (what is the project about?)
- o purposes and significance (why is the project being done? what is to be accomplished? why is this important?)
- o activities (what will be done? what methods will be used?)
- o target population (what special group is being studied or served?)
- o location (where is the work being performed, if different from the location of the Principal Investigator's organization?)
- o expected outcomes (what types of products or reports will be produced? to whom will these be useful?)

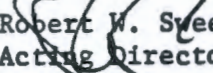
LG

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY

TO : Associate Directors

DATE: 23 AUG 1982

FROM :  Robert W. Sweet
Acting Director

SUBJECT: Unsolicited Proposals

From your recommendations, I have approved the following projects for funding as unsolicited proposals:

EPO

- 0097 Earnings and Education, Finis Welch
- 0110 Federalist Principles, Daniel Elazer
- 0053 Consequences of Post-secondary education, Kristine Anderson
- 0083 Training Cycle in Occupational Preparation, Patricia Pannell
- 0137 Impact of MCT on Schools, Dawson and Dawson
- 0150 Blacks in Private Schools, Diana Slaughter
- 0099 Equity in Values Education, Paul Vitz

T&L

- 0086 Writing and Learning in the HS Curriculum, Arthur Applebee
- 0071 Black Student Success/Fictive Kinship, Signithia Fordham
- 0016 Principal Rating of Teachers and Student Growth, Homer Coker
- 0096 Effective Teaching of Writing, Edward White
- 0068 Oral Expression and Writing, George Kennedy
- 0039 Reading Processes and Comprehension Failure, Joseph Danks
- 0021 Criterion-Referenced Standard for Title I, Robert Ziomek
- 0114 Relationship Between Reading and Writing, Judith Lenger

I have approved the following pending the availability of funds:

EPO

- 0158 Public Money and Private Schools, Donald Erickson
- 0124 Cost Consequences of Decline, Edward Cavin

LH

Unsolicited Proposal Funding
FY 1982 Second Round

<u>Proposal #</u>	<u>Title</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>
<u>Teaching and Learning</u>				
0016	A Study of the Correlation Between Principals Ratings of Teacher Effectiveness & Student Growth	\$ 99	\$ 42	\$ --
0021	A Procedure for Estimating a Criterion-Referenced Standard to Identify Educational Deprived Children for Title I Services	11	--	--
0039	Reading Processes and Comprehension Failure	56	62	68
0068	The Nature and Quality of Compensatory Oral Expression and its Effect on Writing in Students of College Composition	42	--	--
0071	Black Student School Success as Related to Fictive Kinship	48	--	--
0086	Moving Toward Excellence	105	117	--
0096	Research in Effective Teaching of Writing	129	131	71
0114	The Relationship Between Reading and Writing Strategies	27	--	--
	Subtotal	517	352	139
<u>Educational Policy and Organization</u>				
0053	Consequences of Characteristics of Postsecondary Education for Student Goals and Educational Attainment	\$ 17	--	--
0083	The Training Cycle in Occupational Preparation	24	--	--
0097	Earnings & Postsecondary Education	90	--	--
0099	Equity in Values Education	116	--	--
0110	Utilizing Federalist Principles in Civic Education	75	--	--

Unsolicited Proposal Funding
FY 1982 Second Round

<u>Proposal #</u>	<u>Title</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>
<u>Educational Policy and Organization (continued)</u>				
0137	The Impact of Minimum Competency Testing Programs on Local Schools	44	--	--
0150	Newcomers: Blacks in Private Schools	<u>96</u>	<u>--</u>	<u>--</u>
	Subtotal	\$462	\$ --	\$ --
	TOTAL	\$979	\$352	\$139

Approved Pending Availability of Funds

Educational Policy and Organization

0158	Effects of Public Money and Its Correlates on Gemeinschaft Characteristics in Private Schools	\$ 13	--	--
0124	A Proposal to Study the Cost Consequences of Declining Enrollments in Elementary & Secondary Schools	<u>80</u>	<u>--</u>	<u>--</u>
	TOTAL	\$ 93	\$352	\$139
	GRAND TOTAL	\$1,072	\$352	\$139

PROPOSALS AMONG FIELD READERS' TOP SEVENTEEN

NOT SELECTED FOR FUNDING

1. 2-0203 Golomb, Claire Educational Implications of Studies of Pretense Play and Cognition, A Revised Proposal

Subject proposal, while a highly rated and technically very competent proposal, is however considered too narrow in its orientation and too speculative in its potential utility for the improvement of practice for the Institute to invest scarce Federal research resources.

3. 2-0192 Taylor, Cie Effects of Training and Motivation on the Standardized Test Performance of Learning Disabled and Behaviorally Handicapped Children

Too much time and effort nationwide have been spent in the area of "Testmanship." The primary purpose of standardized tests is indeed measuring how much a student knows about the particular content being tested. Nevertheless, the taking of tests does also measure a certain ability to focus one's attention, and to marshal one's resources, and to plan the use of one's time. These kinds of consideration are inherent in test-taking and not coincidentally inherent in many enterprises that one has to face as an adult. The Federal government should not appear to be supporting the erasure of these elements from standardized tests, when in fact they have their proper place.

4. 2-0091 Stockman, Ida A Developmental Study of Black English - Phase Two
Vaughn-Cooke, Fay

It would be ^{wise} ~~unwise~~ for the Federal government to subsidize studies concerned with the hows and whys of non-standard English speech. Rather the Federal government should subsidize studies that help people to speak standard English.

5. 2-0022 Johnson, David W. Classroom Organization, Social Influence and Successful Desegregation

The focus of this proposal was on desegregation research. During this round of unsolicited proposals, the Institute is not funding any individual desegregation projects. The Institute will hold a desegregation conference, and commission several papers during Fiscal Year 1983 to enable the Institute to survey the field's progress to date, and take advantage of this progress for building its further agenda in the desegregation research area.

6. 2-0170 Saville-Troike, Communicative Development in a Second Language
Muriel

This study is too speculative, and its significance is problematic when compared with other more fundamental work in educational research that NIE could fund. Additionally, while the study proposes to have personal interviews with teachers, the main portion of the study involves video-taping of teachers teaching a lesson.

8. 2-0094 Bates, Elizabeth Processing Strategies in Second Language Acquisition

This proposal was not funded because of a doubt that a detailed quasi-historical account and investigation of the merger of a public institution of higher education with a private institution of private education would have any worthwhile generalizable outcome, especially in consideration of the extreme decentralization and variety of American postsecondary education.

9. 2-0141 Gjelten, Thomas G. Vocational Education and the Changing Rural Economy: A Four State Study

Although staff members agreed with outside reviewers that this proposal was a significant one, and that minor concerns with methodology were not mortally damaging to the proposal, the final decision was not to fund. The reason for this is the opinion that additional research-type information gained from the study would be of marginal utility to the localities which are actually making the decisions concerning local vocational education projects.

10. 2-0076 Raffel, Jeffrey A. An Analysis of Parental Support and Rejection of Morstain, Barry Metropolitan School Desegregation

(see comments for the fifth-ranked proposal)

11. 2-0183 Brookover, Wilbur B. Composition, Process, Learning Climate and Status Structure Explanations of Desegregated School Effectiveness

(see comments for the fifth-ranked proposal)

13. 2-0060 Gold, Martin Enduring Effects of Alternative Schools for Disruptive and Delinquent Students

There were some attractive aspects to this proposal. The subject matter was interesting. (Perhaps it could be funded by some research office in the Justice Department--which is not to say that it is not of significant interest in the field of education.) NIE does not currently have a research area that this proposal fits into. This coming year, there are tentative plans to begin in a preliminary way to consider research in the area of education and socialization. Once this line of research is underway, this researcher might very well resubmit his proposal.

14. 2-0175 DiPasquale, Dennis Strategies for Coping with Fiscal Stress in Institutions of Higher Education

The decision not to fund this proposal is based on the wide variety of sources for fiscal stress, along with the proven ability of school administrators to deal with the individualized sources of this stress. These are problems which are often unique to individual institutions, and do not lend themselves to ready generalization.

15. 2-0116 Scribner, Sylvia Learning Studies of Practical Problem Solving

This is an interesting proposal considered by itself. Nevertheless, by comparison with other priorities at NIE and other priorities in the field of mathematics education, and in the context of our low research budget, it was decided not to fund this proposal this year. Although work-related mathematical reasoning and mathematical reasoning taught in school are to be compared in this study, major emphasis seems to be more in the work-related mathematical reasoning area.

16. 2-0100 Inman, Robert P.

The Financing of Public Teacher Pensions:
Causes, Consequences, and Public Policy

The proposal, although well designed, does not represent a central priority of the Institute at this time. The great variety of state teacher-pension arrangements and different state rules, regulations, and approaches to the financing of teacher pensions militates against the utility of a broad-gauged study of this type.

PROPOSALS NOT AMONG FIELD READERS'

TOP SEVENTEEN, SELECTED FOR FUNDING

- 2-0110 Elazar, Daniel J. Utilizing Federalist Principles in Civic Education

This proposal was strongly supported by both field readers, and was also of interest of staff reviewers. It represents a unique and timely study of the balance between state and Federal implementations of their respective governmental responsibilities, and development of research materials on an important but much neglected area of scholarly research with practical implications.

- 2-0124 Cavin, Edward A Proposal to Study the Cost Consequences of Declining Enrollments in Elementary and Secondary Schools

This study is designed to explain why expenditures do not decrease as enrollments decline, which could lead to a better understanding of the important dynamics of retrenchment. The study has implications for local policy-makers who must know, in order to plan well, what level of expenditures one can reasonably expect an LEA to incur as it adjusts to enrollment decline. While two of the three field readers share my opinion, the third questions whether the researchers can deliver as promised. I think the importance of this research topic outweighs the risk involved.

- 2-0071 Fordham, Signithia Black Student School Success as Related to Fictive Kinship: An Ethnographic Study in the Washington, DC Public School System

This was a unique proposal, full of imagination and creativity, and it is an example of a keen mind seeing an issue that has been largely ignored: the question of cultural disincentives affecting black students.

- 2-0016 Coker, Homer
Medley, Donald A Study of the Correlation Between Principals Ratings of Teacher Effectiveness and Student Growth

There is not enough good research in the area of teaching. This was a very well thought out research proposal designed to link together in one research project the three people whose work together makes up a school--principal, teacher, and student--and to address specifically whether principal ratings of teachers have a correlation to high achievement by students.

- 2-0021 Ziomek, Robert L. A Procedure for Estimating a Criterion-Referenced Standard to Identify Educational Deprived Children for Title I Services

Title I is the largest Federal elementary-aid program, probably the most significant of any Federal education program. This proposal represents an economical way of getting an assessment of a different type of standard that could be used to allocate Title I funds.

- 2-0096 White, Edward M. Research in Effective Teaching of Writing

By all accounts the average American student's ability to write is very low. Research is desperately needed for the purpose of helping to improve this state of affairs. This proposal is a well planned and well thought out effort to focus on the teaching of writing, and how that teaching can be made more effective.

- 2-0114 Langer, Judith A. The Relationship Between Reading and Writing Strategies: A Developmental View

The relationship between reading and writing is not frequently enough considered. There might very well be a correlation between a good reader and a good writer and vice versa, and a correlation between being a good writer and reading good books. This modestly budgeted proposal examines the relationship between reading and writing. This is a new area in educational research and might prove most fruitful. This was the only proposal of this type among the 192. It was felt that this opportunity could not be bypassed.

- 2-0053 Anderson, Kristine L. Consequences of Characteristics of Postsecondary Education for Student Goals and Educational Attainment

This is a proposal which squares completely with the Secretary's priority on excellence in education, and is in addition recognized by both field readers and staff members as a worthy proposal. It is a modestly-priced important project with great promise.

- 2-0083 Pannell, Patricia Flynn The Training Cycle in Occupational Preparation

This is a particularly important policy study which has much relevance to the ongoing work of EPO's Finance program, and neatly complements their current study of corporate decision-making on investment in human resources.

- 2-0137 Dawson, Karen & Richard The Impact of Minimum Competency Testing Program on Local Schools

The school management and organization team ranks this proposal as the highest of those received by their group. It addresses an issue at the heart of the Secretary's educational quality and effectiveness priority: minimum competency testing and its effects.

- 2-0150 Salughter, Diana T. Newcomers: Blacks in Private Schools

This is an important research topic about which little research has been accomplished to date. The research team is a strong one and is inter-racial, interdisciplinary, and experienced. Both field readers considered the problem of values clarification in public school curricula to be an important issue which has received too little attention from educational researchers. Despite reservations of one of the reviewers concerning the research design, I believe the importance of the topic outweighs the risk in funding this innovative proposal.

2-0039 Danks, Joseph H. Reading Processes and Comprehension Failure

This is an important inquiry into reading comprehension. By examining the cognitive processes of skilled readers, the acquisition of these processes by children learning to read, and the processes by which non-comprehension is recognized, this set of studies should produce data useful for improving classroom instruction.

2-0099 . Vitz, Paul C. Equity in Values Education: Do the Values Education Aspects of Public School Curricula Deal Fairly with Diverse Belief Systems?

This is a significant study of the effect of values education aspects of the curriculum upon the values and beliefs of children. The research findings should be of use to educators who design or apply curriculum materials in weighing the impact of such materials on student belief systems.



THE SECRETARY
WASHINGTON, D.C. 20202

OCT 19 1982

GOALS AND PERFORMANCE PRIORITIES
OF THE U.S. DEPARTMENT OF EDUCATION FOR
FISCAL YEAR 1983

The purpose of this memo is to specify the high priority objectives of the Department for the coming fiscal year.

Over a year ago, I issued a set of goals and performance priorities in an effort to attain unity of purpose and effective coordination among the units of this Department. We need to focus our resources as effectively as possible to attain our most important objectives. To facilitate achievement of these goals, I am asking that each Assistant Secretary develop his or her own goals which reflect these priorities in a more specific way. Standards of measurement and time frames also should be developed by which achievements can be tracked. Evaluations and progress reports should be prepared twice each year to measure the achievement of specific objectives.

The Federal Government has a system of recognition and awards for employees. We need objective measures in our evaluation of the performance of our employees. One of the most significant of these measures should be an appraisal of the effectiveness of our employees in helping us to reach our objectives. In addition to setting down in writing our goals for the entire Department for coordination and administration purposes, we should view those goals as reference points against which we can measure the performance of our managers and other employees.

Most discretionary programs funded through the Department of Education contain in their authorizations restrictions on program area and activity. In most instances, the Secretary, or the official to whom he has delegated authority, is charged with the responsibility for assessing national needs and establishing priorities for funding. We need to make certain that in developing regulations and awarding grants and contracts, we are meticulous in our adherence to the statutes. At the same time, we must all see to it that to the extent legally permissible, we use our discretionary authority to support sound educational practices consistent with the Department's goals and the policies of this Administration. Prior to submitting grants programs for scheduling, I am asking that you review regulations, eligible applicants, and funding criteria to make sure that they reflect our priorities wherever we have discretion.

Over the past year, I have repeatedly emphasized excellence in education. Specific means to foster excellence in education are outlined in the next few pages. Following this discussion are eleven other goals of great significance to the fulfillment of this Administration's education goals. It is important to note that they are not listed in any particular order of priority. Each is significant, and all goals should be kept in mind as we strive to carry out the Administration's mandate.

I

Excellence in Education

The promotion of more effective learning and the enhancement of excellence in education must be the highest priority of the entire Department of Education during fiscal year 1983. The National Commission on Excellence in Education, established by the Secretary in August 1981, has been charged with identifying problems in the American school system, and with highlighting successful educational achievements at the State and local level. The Commission will report its findings to the education leaders of the Nation in March 1983.

All of the goals outlined reflect and contribute to this central priority and to the achievement of the following objectives.

- A. Strengthen education by returning the resources and the responsibility for educational decision-making to States and local communities and eliminating the prescriptive administration of Federal programs.

The strength of American education is in its local control and diversity. With limited discretionary resources, we need to support programs that will have a direct impact on the improvement of learning. In order to make the best use of our resources, we need to direct them toward State and local institutions that have direct responsibility for teaching and learning.

- Front line service delivery institutions (LEAs, SEAs, schools) should be given priority over associations, auxiliary organizations, and other intermediaries in the educational process.
- Associations eligible for funding should develop projects which would enhance the capacity of members to deliver educational services in response to State and local policy.
- Programs that develop the ability of local educational institutions to implement achievement-based school improvement programs should be considered rather than programs which fund on-going, day-to-day operations.
- Priority should be given to locally-developed programs which have strong community support and transition plans which provide evidence that Federal assistance will not be required to continue the programs beyond the initial grant period.
- For programs that seek to improve equal educational opportunity for all students, priority should be given to programs developed by those who are directly responsible for education.
- One-year "seed" programs are preferable to multi-year awards. Where multi-year awards are required, tight standards should be provided for review and continuation.

-- Preference should be given to programs that use Federal dollars in partnership with local and private sector funding (e.g., matching grants).

B. Assist local educators in renewing our Nation's commitment to excellence and achievement in education at the local level by promoting identification, development, and communication of effective practices.

In order to renew and strengthen excellence in American education, we need to encourage high standards and levels of achievement in those academic disciplines that form the base for traditional knowledge and skills acquisition. Research on skills acquisition and effective schools identifies factors contributing to more effective learning. Our priorities should reflect the results of this significant research and should support those directly responsible for education in the development and application of these findings to improve student achievement.

The National Institute of Education findings of the effective school research are particularly helpful in suggesting strategies that are appropriate to this effort. The studies imply two essential factors of critical importance to the school community:

- 1) a school and community consensus that achievement in basic and higher level skills* is the primary goal of the school, and
- 2) a systematic effort by all members of an education community (State and local school boards, State and local school officers, private school educators, principals, teachers, parents, students) to establish policies, standards, and practices specifically aimed to address achievement.

At the school level, the studies identify key factors in effective school programs such as:

-- The central role of the principal in providing leadership for the school's program,

* Higher level skills are those thought processes by which we interpret and understand the mechanics of basic skills such as reading, writing, and computing. Higher level skills are the thinking and reasoning processes utilized to analyze an author's message, to select the proper functions to solve a mathematical problem, and to organize and select ideas for presentation in writing. These skills are used to organize independent learning and reading efforts to achieve mastery of the subject. Higher level skills include: (1) evaluation and analysis, (2) critical thinking, (3) problem-solving, (4) organization and reference, (5) synthesis, (6) inference, and (7) writing/composing. The successful learner will know when and how to use these higher level skills to improve academic achievement. (For a more thorough discussion of higher level skills, see attached NIE briefing paper.

- A school-wide emphasis on basic skills instruction, which entails agreement among the professional staff that instruction in the basic skills is the primary goal of the school,
- The establishment of a school atmosphere which is conducive to focusing time and effort on the teaching and learning of basic and higher level skills, including a safe and orderly school free of discipline and vandalism problems,
- High standards and school community expectations for students, including the belief that all students, regardless of family background, can reach high levels of achievement,
- A system for monitoring and assessing student performance which is tied to the instructional goals of the school, and
- The support and recognition of successful achievement.

Our priorities should reflect these findings and support programs which implement them:

- Emphasis should be given to programs that strengthen basic and higher level skills in the following areas:
 - Math, science, English language literacy in reading, writing, and speaking, and foreign language literacy.
- Programs that improve cognitive skills should be supported rather than programs that address attitudes, behavior, social "awareness" or advocacy.
- Programs that support the effective use of computers for improving basic and higher level skills instruction or for improving the productivity of teaching should be given priority.

The growing computer industry has been a major cause of the increased demand for individuals with basic and higher level skills, particularly in the related fields of math and science. We should assist school districts to explore uses of technology to improve skill instruction, to prepare for employment, and to increase the productivity of teaching.
- Policy review and development by State and local policy-makers to address factors influencing student achievement in basic skill areas should be encouraged.
- Teacher training programs should focus on subject matter, high standards in content areas, and improving student achievement. Particular priority should be given to teacher training programs in shortage areas such as math, science, and technology.

- Programs which develop incentives for improving instructional effectiveness in basic and higher level skills instruction should be encouraged (e.g., differential salary schedules, recognition programs, career ladders).
- Programs that provide incentives and recognition for schools which improve skills achievement should be encouraged.

The effective learning of basic and higher level skills at the elementary and secondary level has great impact upon the academic achievements of all students as they continue in postsecondary, vocational, or other programs suited to their needs and abilities. The following programs should be developed and administered to reflect a careful coordination with these same instructional goals. Similarly high standards and expectations in these programs will support achievement and excellence throughout the education community.

- Programs designed to improve basic and higher level skills achievement for all students.
- Education programs designed to promote effective application of skills to work and to improve employment opportunities.
- Programs that seek to improve equal educational opportunity and access for all students, particularly those who traditionally have not participated fully in higher education. This includes a strengthened commitment to the White House Initiative on Historically Black Colleges and Universities (Executive Order 12320).
- Programs designed to improve postsecondary education (the Higher Education Act, Title III program is high priority), especially those which enhance institutional diversity and self-sufficiency.
- Programs that address the special skill acquisition needs of the handicapped.
- Programs that challenge the gifted to achievement in higher level skills.

C. Assist local school boards to give policy guidance and leadership in setting high standards of academic achievement, and to focus school board policy development on motivation and reward for excellence among teachers and students.

Over the past year, we have become more aware of opportunities for State and local governing boards and administrators to take action to correct some serious problems without large additional expenditures. For example, since 1965, the Federal Government has been spending large sums of money on the education of disadvantaged children. During this time, low-cost programs that have been universally successful have been identified. We must do more to disseminate information on these low-cost but successful programs.

Local school boards have a key role in setting policies that will lead to higher levels of academic attainment in the Nation's schools. Deficiencies in critical areas such as mathematics, science, and foreign language instruction can be met with board policies that set graduation requirements and other standards that will address these problems. While this is a local and State responsibility, nationwide trends that indicate a critical need for action must be highlighted in meetings and conferences where Department of Education officials are asked to comment or give major addresses. We must avail ourselves of opportunities to strengthen school board leadership as part of our commitment to the enhancement of local control of education.

Excellence in education depends upon excellence in teaching. School boards should be encouraged to establish policies that will attract and hold more gifted and talented teachers. Opportunities for teachers to earn promotion and advancements in teaching without seeking administrative assignments may be enhanced if school boards could successfully implement career ladder programs patterned after the system of academic rank, endowed chairs and distinguished professorships now extant in higher education. School boards should be encouraged to review the recognition and reward systems now in place in our schools. Both public and private school governing boards may find opportunities to enhance excellence through their teacher personnel policies.

II

Implement Higher Standards for the Performance of All Personnel

Improvement depends largely upon measured performance. The annual performance appraisal system for all employees is the single most effective tool available for directing the work of employees toward the goals and priorities of the Administration. The written performance agreements of our SES and Merit Pay staff must reflect the priorities of this memorandum and other authoritative statements of the Secretary, Under Secretary and Senior Officers. We must require our management and supervisory personnel constantly to concentrate the work of employees on our objectives. They should set performance standards through the component goals, measures and timetables established to implement these overall Department goals.

The content of each performance agreement should reflect a mutual understanding of objectives and standards between employee and supervisor. Performance agreements should be reviewed and updated periodically to assure that they reflect current goals and priorities and are consistent with actual expectations of both supervisor and employee.

Managers and supervisors must use every vehicle available to reward employees for achievement and outstanding performance and, likewise, must use counseling and disciplinary measures to improve or, if necessary, remove non-performing employees. Awards programs must be employed to their maximum incentive value, and training programs must be targeted to achieve productivity improvement as well as professional development.

A collegial atmosphere of trust and professionalism is necessary for the development of sound policies and procedures. Staff and program offices must strive to overcome the barriers of organizational isolation, so that proper communication and coordination may take place. Our policy development activities can be enhanced if all adhere to the following principles:

- Administration policies and priorities should be uppermost in the minds of those responsible for policy development. In this regard, Senior Officers should coordinate all policy development with the Office of the Under Secretary.
- In dealing with outside agencies (e.g., Congress, OMB), staff should be careful not to represent options under discussion as official Department policy. White House and Congressional communications should be honored promptly.
- All action and information memoranda relating to policy coordination or regulatory initiatives must be registered with the tracking systems supervised by the Executive Secretary for the Secretary and Under Secretary.
- Be flexible enough to consider carefully a wide variety of options.
- There is no such thing as "too early" for sharing ideas with other affected offices within the Department.

The accomplishment of this goal will provide a key to all other goals of the Department.

III

Debt Collection

With the enormous increases in student loan volume, and with increases in other accounts due the Government from audits, housing loans, etc., we must make a special effort over the next year to improve our collections.

Student loan defaults are a matter of public concern. Taxpayers should not have the burden of paying for loans that were made in good faith to students. We must appraise the resources available through our contractors and our own student loan collection staff and take action to improve our performance in this area. We need to inform the public of our successes in collecting these debts, so that they will understand our concern in promoting aid for needy students while protecting taxpayer dollars and the integrity of the loan system.

Campus-based student loan defaults need our special attention since the default rate is considerably higher than the guaranteed student loan program. Our new regulations to enforce institutional ineligibility for additional loan capital, when student default rates are excessive, need our careful implementation.

Moreover, in view of the fact that State guarantee agencies are responsible for default collection of 95 percent of new Guaranteed Student Loans, the Department must devote increasing efforts to monitoring these agencies in their policies, practices, and collection efforts.

IV

Prevention and Reduction of Fraud, Waste,
and Mismanagement

The leadership of each major unit in the Department should strive to be more alert in preventing and detecting fraud, waste, and abuse. We must look for ineffective proposals and for misrepresentations and inaccuracies in applications. There are too many after-the-fact audit discoveries of grant recipients using funds improperly through violation of the laws and through violation of our regulations. We need to look energetically for early symptoms and to act immediately. Vulnerability assessments required by OMB circular A-123 will be performed by December 1982, and a program of internal control reviews will be instituted by each office.

The Inspector General should be notified immediately when indications of wrongdoing are discovered, or general areas needing audit attention are identified. There must be a prompt and effective response to audits and to Inspector General reports. Aggressive action must be taken to see that corrections are made immediately.

We want to meet genuine needs, but we should also take action to keep schools, colleges, and all other recipients from drawing Federal money for the sake of depositing the same and drawing interest at State and local levels.

Every effort should be made to see that we have full program compliance. Senior officials should review laws and regulations and do all things necessary to see that we are faithfully carrying out the responsibilities assigned to us under the statutes.

Grant and contract recipients should receive from us, in writing, clear instruction on the requirements of law so that there is no mistake about compliance. We must emphasize in these instructions the need for these recipients to assure that their operations include appropriate controls to prevent and detect fraud, waste, and marginal results. To do this and to monitor for compliance will cut down audit exceptions and program abuses.

V

Regulation Reform

We must continue the government-wide effort to reduce regulations and eliminate unnecessary rules. Requirements that go beyond the law and rules that stretch beyond Congressional intent must be identified and revised. This will require a Department-wide effort to continue identifying all possible deregulation efforts.

VI

Reduction of Reporting Requirements
and Paperwork

Through passage of block grant legislation, and through enactment of additional program consolidation, the paperwork burden will be dramatically reduced in the coming months. This measure of progress should not deter us from continued

efforts to reduce reports, the filling out of forms, and the overall burden of paperwork. All units of the Department should review again over the coming year the reporting and paperwork requirements of our programs.

VII

Implement an Approach to Civil Rights Enforcement that Persuades More State Education Agency, Local Education Agency, and Higher Education Leadership Commitment to Enforcement of Civil Rights Laws

Recognizing that the Federal statutes merit the respect and compliance of all citizens and all governmental agencies on all levels, the Department should encourage State and local officials to take voluntary action to enforce civil rights laws. The Office for Civil Rights will provide technical assistance to State and local governments in achieving compliance with the Federal statutes.

Without neglecting our enforcement responsibility under the law, we should strive diligently to obtain better cooperation on the part of recipients of Federal funds. This was a major priority last year, and it continues to be an item of utmost concern to the Department and to American education.

VIII

Education and Work

As we move to attain passage of the Administration's bill that will consolidate vocational and adult education and terminate the exceedingly complex Vocational Education Act of 1963, we will actively assist States and localities in providing quality vocational programs for all persons who need them, ranging from career orientation at the early secondary level to adult training and retraining at the postsecondary level, with emphasis in the latter on skills shortages that are inhibiting economic revitalization. Special attention will be paid, in all programs, to: (1) involving the private sector as a full partner; (2) incorporating basic skills and entrepreneurship education; and (3) achieving more effective collaboration with other Federal agencies, particularly the Department of Defense in training skilled workers for defense industries and the military, and the Department of Labor in combating youth unemployment.

In a period of economic recovery and increased productivity, skills to meet new opportunities for full employment are even more essential. We need to exercise strong leadership to help meet the problems of youth unemployment and adult functional incompetence.

IX

Dismantling the Department of Education

The draft legislation to dismantle this Department will replace ED with a foundation-type structure more appropriate to a very limited, non-regulatory Federal role for education. The action to establish a new foundation will also be accompanied by legislative action to disperse a significant number of ED programs to other Departments of the Federal Government.

The Federal role in education is being redefined through a slow but steadily progressing effort to: (1) move to block grants or consolidation proposals; (2) devolve to the States education responsibilities that can be carried out more effectively by them (along with devolvement of revenue sources and the President's New Federalism program); (3) establish a foundation to provide limited support and assistance; and (4) amend laws and eliminate regulations which infringe upon the rights and responsibilities of State, local, and private governing bodies.

We must make a very vigorous effort to attain the enactment of our legislation to dismantle the Department of Education during fiscal year 1983. This will be a very difficult and challenging task requiring the best resources and talent of this Department.

X

Passage of Tuition Tax Credits

A key item in this Administration's total plan for improvement of American education is enactment of the tuition tax credit legislation. The Administration's bill has been submitted. Hearings have been held in the Senate. A high priority goal for FY 1983 is the enactment of this legislation. We should emphasize that this measure poses no threat to public schools, but would encourage competition in education and a diversity in approach to education which will strengthen the U.S. educational system.

XI

Student Financial Aid

Student aid programs have grown to occupy a major part of the Federal role in education. We need to continue to advocate the grant-loan work-study programs, adhering to the Administration's fundamental principles:

- The student and his or her parents have the primary responsibility for meeting postsecondary educational costs.
- The role of the Federal and State governments is to help bridge the gap between what the family can pay and the cost of attendance.
- Federal priority remains targeting aid to the neediest students to assure their continued access to postsecondary education.
- Self-help programs (in the form of loans and work) should remain available for students no longer eligible for grants.

We should be aware of the concerns of the National Commission on Student Aid on this study.

An improved management information system for student aid will be instituted. Through current contract development on information systems integration, new computer capabilities will achieve both cross program integration, quick information retrieval, and significantly increased model simulation capabilities.

We must continue to improve our relations with Congress and the higher education community to help achieve our legislative initiatives for fiscal year 1983.

XII

Special Student Populations

We need to examine closely our level of commitment to the special populations: the disadvantaged, the handicapped, military-dependent children, Native Americans, and limited English proficient students and how the Federal Government will best serve these students.

We will continue to actively and strongly advocate new legislative initiatives and deregulation efforts relative to these special populations. In all our programs that target Federal funds on special student populations, policy development should focus on these objectives:

1. Avoid Federal usurpation of State and local responsibility and avoid dependency on Federal funds to meet all the needs of these students.
2. Allocate Federal funds to supplement and not supplant State and local resources.
3. Develop a capacity-building strategy that will increase the ability of the States to meet these needs so that the Federal withdrawal of resources will be possible.
4. Provide specific guidelines on types of expenditures eligible for these funds.
5. Enhance cooperative links between special education and vocational rehabilitation; specifically, greater coordination between the Individualized Educational Plan (IEP) and the Individualized Written Rehabilitation Plan (IWRP).

Conclusion

Aggressive implementation of the 12 major goals outlined above will move us a long way toward realizing the purposes that most of us had in mind when we accepted the challenge to join this Administration and this Department. We must move forward to develop time-phased action steps to accomplish these major outcomes. Realization of these results will help to build morale in the Department as we press our colleagues to become engaged in endeavors that will challenge fully their talents and capabilities.

As we think about the vast and complex education enterprise in the United States, we must remember that private schools and colleges are a vital part of our total leadership responsibility. If we can lead all of American education, public and private, pre-school through graduate school, to become more results-oriented and performance conscious, we will make a major contribution in helping our country to become more competitive economically, more secure militarily, and more just and compassionate socially. Let us do all things possible to see that our leadership responsibilities are fruitful, satisfying to ourselves, and strengthening and supportive of all of our colleagues in American education.



T. H. Bell

National Institute of Education
Department of Education
19th and M Streets, N.W.
Washington, D.C. 20208
October 8, 1982

Office of Special Counsel
Merit Systems Protection Board
1120 Vermont Ave.,
Washington, D.C.

It is requested that the Office of Special Counsel, Merit Systems Protection Board, investigate prohibited personnel practices by the ex-Director of the National Institute of Education, Department of Education, Edward Curran, the present Acting Director, Robert Sweet, and others named in the document who were acting under their direction. The National Institute of Education is located at 19th and M Streets, N.W., Washington, D.C. The alleged personnel practices undertaken by the above named individuals and described in the attached document are prohibited according to Section 2302 of the Civil Service Reform Act of 1978.

The attached document consists of five parts. The first section contains a written account of the allegations. The four remaining sections are attachments which include documents related to the written account. These attachments are:

Attachment I Newspaper and periodical articles

Attachment II Internal memos

Attachment III Documents: budget, letters, directives

Attachment IV Personnel: position descriptions, directives, vitae

It is also requested that this investigation be considered under the whistleblowers statute of your regulations. More specific information to develop this case will be submitted at a later date.

I REQUEST

It is requested that the Office of Special Counsel, Merit Systems Protection Board, investigate prohibited personnel practices by the ex-Director of the National Institute of Education, Department of Education, Edward Curran, the present Acting Director of NIE, Robert Sweet, and persons acting under their direction—Thomas Ascik, Director of Planning-designate; John Christensen, Associate Director of the Office of Administration, Management and Budget and now on six-months training; and Warren Kaufman, Acting Associate Director of the Office of Administration, Management and Budget. The personnel practices undertaken by the above-named individuals and described more fully below are alleged to be prohibited according to Section 2302 of the Civil Service Reform Act of 1978.

Specifically, it is alleged that the above-named individuals have placed politically and philosophically compatible employees in strategic non-Schedule C, technical/professional positions. The individuals so hired are unqualified for the positions to which they were appointed; and in some cases are receiving salaries which almost double what they were making in their last positions.

In an attempt to make room for these employees, it is alleged that the above named individuals have systematically engaged in the following political/ philosophical, arbitrary and capricious actions against the non-Schedule C technical/professional staff at NIE:

- early termination of excepted authority appointments;
- reassignment of employees to different and sometimes non-positions;
- Arbitrary down-rating of merit pay employees.
- reorganizing and layering of Program Offices, causing erosion of jobs, and thereby placing Assistant Directors in a potential downgrading situation;
- screening of employees' political affiliation.

In the attempt to develop and implement a political agenda and place control of decision-making in the hands of politically acceptable employees, it is alleged that Mr. Curran and Mr. Sweet are guilty of mismanagement, waste, and abuse of authority. It is, therefore, also requested that this investigation be considered under the whistleblowers statute of your regulation. More specific information to develop this case will be submitted at a later date.

II THE CONTEXT

The National Institute of Education was established in 1972 by the Congress of the United States in Section 405 (a)(1) of the General Education Provisions Act (PL92-318). Quoting from the legislation:

The Congress hereby declares it to be the policy of the United States to provide every person an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, national origin, or social class. . . .To achieve quality will require far more dependable knowledge about the processes of learning and education than now exists. . . .While the direction of the education system remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

In order to carry out the policy. . .there is established the National Institute of Education.

The NIE is part of the Department of Education, and is located within the Office of Educational Research and Improvement of Practice.

To achieve its mission, NIE has organized its work around three broad program areas: Teaching and Learning; Educational Policy and Organization; and Dissemination and Improvement of Practice. Associate Directors, who are Senior Executive Service-level personnel, head each program group. Assistant Directors—GS 15 or equivalent—direct the Divisions which are located within the program groups.

NIE policy is established by the National Council on Educational Research, whose 15 members are appointed by the President and confirmed by the Senate. For this reason, only one or two positions within NIE are Schedule C, or political, positions. The rest are technical, professional, clerical and managerial positions.

The Director of the Institute has program authority directly vested in him or her by the Education Amendments of 1972, as amended, as well as certain delegated program authorities such as making, promulgating, issuing, rescinding and amending rules and regulations governing the operation of the agency.

The legislation creating the NIE also provided it with excepted service authority.

Section 405(e)(3) of the General Education Provisions Act, as amended, P.L. 92-318, 20 U.S. Code 1221e(a)(3) authorizes the Director to appoint, for terms not to exceed three years, without regard to the provisions of the United States Code governing appointments in the competitive service and to compensate without regard to the provisions of Chapter 51 and Subchapter III of Chapter 53 of such title relating to classification and General Schedule pay rates, such technical or professional employees of the

Institute as the Director deems necessary to accomplish its functions and also appoint and compensate without regard to such provisions not to exceed one-fifth of the number of full time, regular technical or professional employees of the Institute.

The purpose of this authority is to attract highly qualified researchers and professionals to the NIE to work with the career civil servants in managing and directing programs of research. The language of the Senate Report of the Labor and Public Welfare Committee No. 92-346, August 3, 1971 states that the excepted service authority should be used to recruit "first rate highly creative researchers engaged in the frontiers of knowledge." As of March 1981, 64 % of the professional program staff consisted of excepted service appointees.

III THE HIRING OF NON-SCHEDULE C POLITICAL APPOINTEES

A number of political appointees within NIE and the Department of Education have clearly viewed the NIE excepted service authority as an opportunity for political payoffs in the form of high-paying jobs. Mr. Curran and Mr. Sweet were well aware that these positions have never been, and should not be viewed as political. They were told by many people, including Dr. Kane, at that time the Acting Associate Director of the Dissemination and Improvement of Practice Group, that the listing of these positions in the 'Plum Book' in 1980 was an error. Mr. Curran and Mr. Sweet were provided with a set of memos from NIE and the Department of Education which pointed out the error in listing the senior excepted service positions as political. (Attachment II, pp.1-5) These memos clearly stated that the Plum Book listing was an error, and could lead to "serious misinterpretation of Congressional intent. . . ." (Minter, p.4). Further, a memo from Oliveri to Kent Lloyd (Attachment II, pp.6-8), pointed out that the Department should be very careful in its treatment of the excepted service authority, since NIE had had its personnel authority withdrawn once already (in 1975), because of abuse of its excepted service authority. It is clear that Mr. Curran saw this memo, since the copy included in Attachment II was addressed to Mr. Christensen from Mr. Curran (see initials in far right corner).

Nonetheless, Mr. Curran, Mr. Christensen, Mr. Sweet and Mr. Kaufman set in place a procedure which has allowed Mr. Sweet to personally hire unqualified political appointees in technical/professional positions. In the text that follows, these new appointees are referred to as non-Schedule C political appointees.

In the past, procedures for hiring excepted appointees were designed to select the most highly qualified researcher/professional for the position. (Appendix IV, pp. 1-9). These consisted of a competitive process, with national posting of a position. A review board, consisting of at least three persons from within and outside the hiring office and an KEO representative, would rate the vitae and meet to determine which applicants were highly qualified. This list would be sent to the selection official who would interview all highly qualified applicants and contact each applicant's references. The materials, including a

thorough description of the process and the references' comments for all the highly qualified applicants, in addition to the rationale used for the selection, would be sent to the Associate Director or Director for signature, and then to personnel. Often, a number of staff members would be asked to interview applicants, and their reviews would become a part of the file.

Political affiliation has never been a consideration in the hiring of the technical/professional staff. To the extent that such affiliation is known—and since this is rarely a topic of conversation at work, it is not always known—it would appear that NIE professional staff represent a wide spectrum of political and philosophical views.

New procedures are now being used to hire political appointees in non-Schedule C excepted positions. The first document to be developed was a Directive on "Excepted Appointing Authority/Non-Bargaining Unit Employees". This "final" directive, dated June 11, 1982 and signed by Bob Sweet, stated that the Director could hire, fire, and set salary of all Non-Bargaining Unit employees. The policy stated that "Appointments will be made on the principle of merit, without regard to the race, color, religion, sex, age, or national origin of the individual." It did not, however, exclude political affiliation as a possible criterion. On June 17, another "final" Directive, signed by Bob Sweet, listed political affiliation as one of the prohibited criteria. (Appendix IV, pp. 10-20) In this Directive, Non-Bargaining position employee means not only those in supervisory positions, but also those in 'policy setting' positions.

The Directive also states that the authority is being used to stay "in touch with the frontiers of private sector research", and that the excepted authority individuals should return to the private sector. One staff member questioned the use of the term 'private sector' since it seemed to exclude all research being performed at public Universities, State Education Departments, local school districts, and other public institutions. This memo, a copy of which was sent to Mr. Christenson, also questioned the authority of the agency to state where employees should work after leaving NIE. (Attachment II, p. 82) However, no one responded to the memo, and the 'private sector' language remained.

The Position Descriptions of Research and Senior Research Associate positions were rewritten to make them 'policy setting' positions, thereby including all professional positions in the Non-Bargaining Unit Directive. It should be pointed out, however, that there is nothing in the original language describing excepted service authority which suggests that all of these positions should be policy positions. (Appendix IV, pp. 10-20)

The procedures for implementing the new Directive were then established and circulated. (Appendix IV, pp.21-24) They do not require competition nor the maintenance of a file of applicants. The Director hires, sets salary, and fires. There is no requirement for any involvement of the supervisor or Associate Director, except to submit a position description (Form OF-8) of a vacant position. There is nothing in this process to ensure fulfillment of the EEO stipulations. There is no

stated procedure or set of standards in the Directive or implementation procedures for qualifying an applicant. This Directive now excludes all new excepted employees from the Union.

Throughout the Spring and Summer, a number of compelling cases were made for competing positions in order to attract the most highly qualified persons. (Attachment II, pp. 14-19) However, it was clear in April that Mr. Sweet was not contemplating a competitive hiring process, even though there was time to do so. In the minutes of a meeting with Mr. Sweet, dated April 26, Joan Heffernan, representative of the American Psychological Association summarized Mr. Sweet's comments: "It is likely that up-coming personnel searches in response to openings created by enforcing the three year contracts would not be the same broad national searches as conducted in the past because of the ongoing hiring freeze and the present attrition rate at NIE However, Mr. Sweet indicated that they will seek out good people." (Attachment III, pp.92-95) Further, Mr. Sweet has indicated to NIE staff members that even if there were competitions for positions which persons are now holding, "they can apply but they won't be hired. The idea here is to get new blood into the system." (Appendix II, p. 9) The "new blood" statement is also made in the standard termination letter to the excepted authority employees. (Attachment II, p. 34)

Since April, after NIE's personnel Office and functions were transferred to the Department of Education's personnel office, the applicant file has been maintained in the office of the special assistant to the Acting Director, Ms. Carol Whitten, who is a non-Schedule C political appointee. She and the Acting Director, alone, control the file of applicants. A large portion of the applicants have listed, on their vitae, active Republican party affiliation and activity. Further, many of these vitae indicate activity in the far right element of the Republican party.

During July and August, Mr. Sweet has hired close to twenty individuals in excepted authority positions without competition, primarily from a set of vitae which is known to the staff because program staff was required to use this pool of individuals as field readers. Some of these are:

Mr. Tom Ascik, Director of Planning-Designate. Prior to coming to NIE, Mr. Ascik was a policy analyst in the Heritage Foundation where he wrote papers on New Federalism. Prior to that, he worked on the transition team, was a free-lance writer and editor, and taught high school English. He has a B.A. in English, and is going to law school at night. (Attachment IV, pp. 70-76). He earned \$20,700 at the Heritage Foundation, and is now earning over \$40,000 at NIE. He is responsible for, among other tasks, directing the research planning effort at NIE, which involves developing the planning procedures, and working with NIE program staff to plan the research agenda. The extent of the disparity between his qualifications and the requirements for the position is revealed by comparing his qualifications with those of his predecessor: Dr. Iris Rotberg. Her vita is included in Attachment IV, pp. 92-96.

-4-

Dr. Dorothy Parker, Deputy Associate Director of the Teaching and Learning Group. Dr. Parker has responsibility for working with the Associate Director, Dr. Shirley Jackson, an SES appointee, in directing a program of research on Teaching and Learning. She is responsible for providing technical research and management support to the Assistant Directors of the four Divisions, and is their first line supervisor. (See Attachment IV, pp. 36-39) Dr. Parker has been a elementary school teacher for sixteen years. She recently received a Ed.D. in Educational Administration, but has had no administrative experience. She is not a researcher. Her vita does, however, indicate that she was an active participant in various Republican campaigns (Attachment IV, pp.60-62). An interviewer found her completely unacceptable for the position. (Attachment II, pp. 63-64)) For purposes of contrast, several vitae of the Assistant Directors whom she supervises are included in Attachment IV (pp. 92-96).

Mr. Michael Bruner, Senior Research Associate in Reading, Reading and Language Division, Teaching and Learning Group. Mr. Bruner was hired without his Supervisor's knowledge, who had placed the need for a reading specialist as a lower priority than three other needs, and had requested Research rather than Senior Research Associates. Mr. Bruner has a B.A. in Music, and an M.A. in Library Science. He has given workshops to teachers in how to teach reading, and was an Administrative Consultant to the Idaho Department of Education. After reviewing his vita, and talking to Mr. Bruner, staff members found him unqualified for the position. (Attachment II, pp. 46-48).

Curiously, when his position description was first signed by Mr. Sweet and sent to personnel, Mr. Bruner's position was described as a Research Associate. The invitation letter which was sent to Mr. Bruner described the position as a Senior Research Associate, at a salary of over \$43,000. He had been making \$24,900 in his last position.

Mr. Roan Garcia-Quintana, Deputy Associate Director of the Dissemination and Improvement of Practice Group. This position is similar to that of Dr. Parker's. Mr. Garcia-Quintana, who has a background in educational statistics, but no management experience (Attachment IV, pp.79-84), was first hired in the Department of Education's Office of Bilingual and Minority Languages Affairs as a Schedule C employee. When he came to NIE, he was placed in an excepted position, and is therefore no longer a Schedule C appointee. He is apparently not aware of this, since he describes himself to program staff as a political appointee. (Attachment II, p. 68). He also states that he spends a considerable amount of time at the White House.

Dr. Dennis Cuddy, Senior Research Associate in the Educational Finance Division of the Educational Policy and Organization Group, has a Ph.D. in American History and Australia. He has worked as a Political Risk Analyst, was an editor, and an Instructor in American History at the University of North Carolina. He has also

written several articles or letters to the Editor on discipline and busing. He states in his Form 171 (Attachment IV, pp.40-58) that his managerial experience is .5 years (part-time) as a theater usher. His references are Senator Jesse Helms, Mr. Bob Sweet, and Mr. Larry Uzzell.

Ms. Patricia Hines. Ms. Hines started out in the Acting Director's office as the liaison with the Teaching and Learning Group. She has been shifted to the R&LS Division, Teaching and Learning Group as a Research Associate in Writing research. Ms. Hines has a Masters degree in English from the University of North Carolina and taught composition and literature at the University of South Carolina in Spartanburg. She does note membership in several Republican Party clubs. (Attachment IV, pp. 77-78). She has no experience in research, even though the Assistant Director of the R&LS Division had specifically requested someone with knowledge of and experience in research in the writing process. (Attachment II, pp. 53-56)

Ms. Sharon Hawk. Ms. Hawk is presently located in the Director's office, but thinks that she will be moved to the Dissemination and Improvement of Practice Group. She has been a substitute math teacher for the last two years, and also was a personal assistant to Dr. Mildred Jefferson, a potential Republican candidate for the U.S. Senate. She has an M.A. in education from the University of San Francisco. (Appendix IV, pp. 65-66).

Dr. Elizabeth Rupert, Deputy Associate Director, Educational Policy and Organization Group is responsible for working with the Associate Director, Dr. Shirley Horn, to develop, direct and monitor a program of research in educational policy and organization. She will be the direct line supervisor for the Assistant Directors. Dr. Rupert had a private practice in diagnosing and remediating children with learning difficulties. She has been a consultant on child development to HHS, and the Christian Research Seminar, and described herself as a researcher for the Reagan-Bush Campaign. She was also an elementary school teacher. (Attachment IV, pp. 85-89) She has had neither research nor management experience. An interviewer found her unqualified for her position, and not even minimally qualified for an NIE Associate position. (Attachment IV, pp. 90-91)

These new staff members have apparently been told by Mr. Sweet that they report directly to him; and, in fact, were told by Mr. Sweet to do so even after the new Director arrives.

IV POLITICAL/PHILOSOPHICAL IDEOLOGY

Program staff fully understand and expect that Schedule C appointees often reflect preferences that are tied to their roles in the political process. But the strength of the new Schedule C and non-Schedule C political appointees' ideological commitment and professed assumptions about the rampant liberal philosophy behind NIE's program, not to

mention their lack of knowledge, expertise in educational research have left many NIE staff members in a state of disbelief. These views have been reflected in formal statements, and discussions with staff members.

A. Formal Statements and Decisions Which Revealed Political Philosophy

1. Budget Statements and Newspaper Quotes: Since Mr. Curran seldom signed a document or put requests in writing, even when asked by staff, it was assumed that there was an unstated policy that nothing be put in writing. At an Institutional Monitors meeting, for example, Dr. Carroll had to read procedures for proposal review because he had been told by Mr. Curran not to put the procedures in writing. It was not until the early Spring that the program staff received the first document which began to reveal, in writing, Mr. Curran's and Mr. Uzzell's political and educational philosophies. (Attachment III, pp.1-4) The unsigned Planning Guidelines, and the Draft--Possible Research Topics documents were distributed at an Associate Directors' meeting by Mr. Curran. In the first document, two thematic priorities were discussed: "excellence" and "freedom". Freedom was meant to include "both consumer sovereignty for parents and the independence for professional educators from excessive mandates and prohibitions enforced by Federal and State agencies". Many of the research topics appeared as questions, for example:

Who, in the long run, is richer, happier, wiser, and/or more virtuous: the graduate of (a) a highly structured traditional college program (e.g. St. John's, Annapolis), or (b) a free-wheeling, "relevant" program (e.g. Antioch), or (c) a preprofessional program (e.g. business administration at a large state university)?

What are the effects on learning, both positive and negative, of coeducation as compared with single-sex classrooms? 7

What are the effects on learning of a schoolchild's mother's holding a full-time job? 0

When questioned by Charles Babcock of the Washington Post about the latter project in relation to allegations of politicizing the budget, Mr. Curran stated that the idea "didn't come to me as a right-wing bullet. It's a concern I've had for a number of years." (Attachment I, p. 4)

In mid June, Mr. Curran was asked to resign as Director of the NIE because of an act of insubordination toward the Secretary of Education. He had sent a letter directly to the President calling for the abolition of NIE. (Attachment I, p.8 and pp. 13-14; Attachment II, p. 19-20)

Sometime after Mr. Curran's dismissal, Mr. Sweet, the new Acting Director, revealed his political views in a budget request to Secretary Bell (Attachment III, pp. 21-29). The rationale for a request for funds to study the adverse effects of values education read as follows:

Perhaps no issue is more divisive and causes more controversy in

education than the teaching of values. Every educational system in every country tries to instill values in its students in addition to educating them in subject matter. In America, these values have traditionally included respect for authority, good manners, a sense of decency, love of country and the elements of good citizenship. Recently, however, values education (also termed values clarification or moral education) has become a specific educational discipline, a discipline based on moral relativism.

- The techniques being promoted today are based exclusively on materialistic concerns found in human nature, and ignore the moral order based on the existence of a personal God. In the attempt to obey the First Amendment and to assure separation of Church and State, the courts, and the educators who have interpreted the courts' decisions, have eliminated all forms of religious recognition from the schools. Prayers, no matter how universal, have been banned; the singing of Christmas carols have been stopped; and even as commercial a symbol as a Christmas tree has been eliminated in certain schools. The effects in the curriculum and textbooks have been more severe. The result has been the establishment of a humanistic atmosphere, totally devoid of any reference or acknowledgement of the existence of God, no matter how God is viewed and worshipped.

The absolute refusal to acknowledge God, however, is the promotion of values based on the absence of God, that is, on secular humanism. Centuries ago, the Arabs made a major contribution to intellectual thought by inventing a number zero to represent the absence of any quantity. They recognized that the absence of something should be treated the same as the presence of something, so that the number zero is as valid and is treated mathematically the same as any number representing the presence of a quantity. A belief based on the total absence of an Almighty Being is as much a belief as one based on the presence of one; secular humanism is as much a religion as any of the God-centered religions of the world.

Mr. Sweet also indicated a preoccupation with values education in an interview for Education Daily: "values clarification," Sweet thinks, "is one of the biggest issues facing American education today. The reason the public is so upset is . . . many feel the values system is under attack in public education." (Attachment I, pp.6-7) In addition Mr. Sweet was reported in this same article as feeling that "much of the \$750 million spent by NIE over the last decade has nurtured the liberal cause of desegregation. 'Education equity has been the thread running through all the work--equity in terms of equalization of finance.'" Here, Mr. Sweet appears to be complaining about NIE's Congressional mandate which requires NIE to concentrate resources on, among other things, "improving opportunities for students of limited English-speaking ability, women and students who are socially, economically, or educationally disadvantaged".

2. The Uzzell Documents: The staff's sense that they were being labelled as extreme liberals, and that this label was being used to affect them and NIE adversely was exacerbated when an unusual document

turned up in the xerox room closest to the Director's office. (Attachment II, p.70). This document called for the abolition of the Department of Education, starting with NIE because, while harmless, it was an easy mark. It was not signed; but it shows notable similarity in wording to the Uzzell Public Advocate letter described below. Interestingly enough, it appeared shortly before a Phyllis Schlafly article was published which called for the abolition of NIE. (Attachment I, p.1).

After Mr. Curran was asked to resign, his Assistant, Larry Uzzell also resigned. The Public Advocate letter from Mr. Uzzell, therefore, was not very surprising (Attachment III, pp.46-52) The tone of the letter, though, is striking in its display of bias. This letter requested people to send to Congress and the Senate postcards calling for the abolition of NIE, to send him funds for his cause; and included a letter similar to the one Mr. Curran sent to the President. It also accused NIE of being a "nest of liberals".

While there is no direct evidence that Mr. Sweet has taken sides in this controversy, he has not responded, formally, to Mr.Uzzell's letter. The Director's Office has, however, recently been in contact with Mr.Uzzell, requesting advice on programmatic matters.

3. The Characterization of Projects as "Anti-Family". The new administration at NIE and elsewhere in the Department of Education appears to be particularly hostile to sex equity projects, which they label "anti family". For example, within the Department, the director of the Women's Education Equity Program was detailed just before proposals were to be reviewed and funded; and the "take-over" of the National Advisory Council on Women's Education Programs and the firing of its executive director received national press attention. (Attachment I, p. 9). The Department of Education has also refused to appeal a district court decision that would reduce drastically the scope and effectiveness of the basic law protecting the rights of women and girls in schools and colleges—Title IX of the Education Amendment of 1972 (University of Richmond v. Bell). The Uzzell letter includes negative and misleading descriptions of two such projects. Further, when asked to review a new NIE Directive, Mr. Curran made only one change: he systematically changed the word "chairperson" to "chairman". (Attachment III, pp. 15-18)

NIE Program staff heard last winter that the contract files on the two sex equity and classroom interaction projects (NIE 400-80-0032 and 400-80-0033) were requested by the Director's Office. Concern deepened when several new members of the National Advisory Council on Women's Education Programs mentioned at the first meeting that Mr.Sweet was a good friend and had been very helpful to them.

On July 26, the staff member responsible for the two projects, was informed on the phone by Mr. Ascik that negotiations on these contracts, which were going into their third and last year of funding, were being suspended by the Acting Director. Neither the appropriate Associate Director nor the Assistant Director were aware of this decision before this staff member was informed by Mr. Ascik. After discussions between

the Associate Director and Mr. Sweet, and Mr. Ascik, and program staff members; and extensive external political support for the projects was expressed, the decision was made to fund the contracts for their last year. Mr. Ascik's comments to staff members indicated his views that the solution to any so-called sex-equity problem was single-sex classrooms and that the notion of treating girls the same as boys was at fault given genetic differences; and indicated very little knowledge or understanding on his part of the sex-difference literature. He equated sex equity training for teachers with values education.

B Direct Statements to Staff

Early in Mr. Curran's Administration, he talked about not renewing excepted service staff members because of the need to "get new blood into the system". He also used this argument in public statements (Attachment I, p.4). Another argument which was used for not renewing appointments was that NIE staff didn't have very much work to do. In fact, Mr. Curran turned down several requests to transfer funds for projects from other sections of the Department, because, as he stated, he did not want the staff to have any more work. While a personnel policy was being worked out, Mr. Curran extended some employees on an ad hoc basis, at the request of the Associate Directors. Some of the Associate Directors' requests were granted, and extensions were usually shorter than the Associate Directors requested.

When Mr. Sweet was delegated the responsibility for personnel by Mr. Curran, he also emphasized the need to get "their people" in. In one meeting with Dr. Lois-ellen Datta, then Associate Director of the Teaching and Learning Program, and another staff member, Mr. Sweet responded to a request to extend several people by asking which of the T&L staff would be terminated early. He was adamant about the fact that the Director's Office had to, were, in fact, required to get the new people into the agency, which meant getting rid of old ones.

The Associate Directors were concerned about this personnel replacement policy. They could see that there would be a 50% turnover in the excepted service staff by January, 1983. Such turnover, they argued, could be extremely debilitating to the program. (Attachment II, p.14-19) But the concept of the need for new blood prevailed, and was included in the termination letters to excepted employees. (Attachment II, p.34).

Further, in discussions with individual staff members about reassignments or terminations, Mr. Curran and Mr. Sweet have stated explicitly that they want new blood in those positions, and that the new people would be "their own kind". Examples are:

Dr. Iris Rotberg: On March 9, Mr. Sweet and Dr. Rotberg discussed her role as Director of Research Planning. Mr. Sweet stated that there had been major changes in political viewpoint and the role of the government and that it was understandable if a new director did not want staff with different philosophical views. Dr. Rotberg asked him if he knew what her political or educational philosophy was. He said he did not, but apparently assumed it was different

from his. Mr. Sweet's comments to her about political philosophy were consistent with earlier conversations she had had with John Christensen, Associate Director of the Office of Administration, Management and Budget: Mr. Christensen said that anyone who did not support the political position of the current administration should resign from the federal government. She was moved to a new position within the Dissemination and Improvement of Practices Program, and was replaced by Mr. Ascik, a non-Schedule C political appointee. (See Section III) Six weeks later, she was moved again. She heard about the second move from her supervisor, Dr. Kane, who had been told that she was being replaced with a Schedule C appointee, Mr. Roan Garcia-Quintana from the Department. The Schedule C person, however, was given a regular non-Schedule C excepted appointment.

Lily A. Klot: After she received a letter which stated, incorrectly, that her "excepted service appointment as an NIE Associate will not be extended beyond May 15, 1982", she met with Mr. Sweet to indicate that her appointment ran until October, 1982, and to discuss the quality of the termination letter. Mr. Sweet did not talk about the letter. He talked about the need to get "new blood" into the Institute. Ms. Klot stated in her memo to Dr. Kane: "I believe that Mr. Sweet. . .has come to equate excepted service appointment with political appointment. In our conversation, Mr. Sweet asked me if I really believed that ' . . .an excepted service appointment, a political appointment. . . 'would or should continue in a new administration." (Attachment II, pp.19-21)

Ned Chalker: On July 8, in a meeting attended by Mr. Sweet, Dr. Datta, and Mr. Chalker, Mr. Sweet informed Mr. Chalker that he was going to move Mr. Chalker out of his position so that they could place "one of their own in it." Mr. Chalker was asked to suggest another position in which he could be placed. (Attachment II, p. 89) He was eventually placed in a non-position. (See Section V, B) He was replaced by Dr. Dorothy Parker, a non-Schedule C political appointee.

When Mr. Ascik first came to the NIE, he and Mr. Uzrell met with members of individual teams. On a number of occasions, they stated that they were radical, and that the NIE staff are moderates and supporters of the status quo. They indicated that they needed research which would point to "radical" solutions in education. Mr. Ascik continues to express this opinion.

V THE ACTIONS

The following actions demonstrate prohibited personnel actions because the motivations for these actions are based on an assumption that existing staff are politically unacceptable. The ideological motivations were discussed in Sections III and IV of this report.

A. Early Terminations of Excepted Authority Appointments

The appointments of the following excepted authority individuals were terminated early either without explanation, or with the statements: "We don't need you any more", "his study is over", "S&E constraints" or, quite explicitly as in the case of Lily A. Kliot, Mr. Sweet asked her if she really believed that ". . . an excepted service appointment, a political appointment' . . . would or should continue in a new administration." (Attachment II, pp.19-21). It is alleged that these early terminations were actually intended to make room for new employees with "appropriate" political views.

1. Dr. Glen Harvey. Dr. Harvey, a Research Associate in the Office of Planning and Program Development, had a temporary one-year appointment which was to extend through February 21, 1983. She had also been selected for a three-year excepted service position on January 28, 1981, but due to a hiring freeze, was not appointed. She received a letter from personnel stating that it was NIE's intent to place her in this three-year position when the hiring freeze was lifted. During March, 1982, several meetings were held between Mr. Curran and Dr. Harvey about possible reassignment. Mr. Curran stated that they agreed that she was a very good performer, but there were other people in the country who could do the job. On April 1, 1982, she was told that her appointment would be terminated, with 30 days notice. The decision in response to her grievance stated that the management had not violated any rule or regulation. It did, however, state: "It is regretful that we lose such a valuable talent as Dr. Harvey. The fact that NIE leadership has acted within their legal authority does not take away from the fact that the manner in which they acted appears to stand out as being less than what integrity and good management practices would dictate." (Grievance Decision to Glen Harvey from William L. Smith, 7/17/82)

2. Lily A. Kliot, a temporary, excepted-service employee was terminated early by six months. Her letter, however, stated that her term was not being extended beyond May 15, 1982, which misrepresented the issue. In fact, her term extended until October, and she was being terminated early. Her description of the meeting with Mr. Sweet at which she protested the nature of her termination letter is included in Attachment II, pp. 19-21.

3. Dr. Peirce Hammond. Dr. Hammond, a Senior Research Associate in the Dissemination and Improvement of Practices Group began hearing about possible early termination in August. He has yet to receive formal notification, but in a listing of personnel NIE dates that the Acting Director issued in August (Attachment III, pp. 59-73), Dr. Hammond's end date is listed as January, 1983, whereas his original NIE date was December, 1983. In a discussion with Mr. Sweet, requested by Dr. Hammond to discuss his possible early termination, Mr. Sweet did not deny that his early termination was due to a series of clarifying questions he had asked during a monitors' meeting about the origin of a list of field readers. (See Section V, C).

4. Dr. Stuart Rosenfeld. Dr. Rosenfeld, a Senior Research Associate in the Educational Policy and Organization Group also heard rumors of

possible early termination, and saw, in the same listing mentioned above that he was being terminated early. Dr. Rosenfeld's supervisor, Dr. Saul Yanofsky, told him that Mr. Sweet had stated that since the Vocational Education Study was over, Dr. Rosenfeld was no longer needed. Dr. Yanofsky pointed out to Mr. Sweet that Dr. Rosenfeld had joint responsibility to both the Rural Team and the Vocational Education Team; and now with the latter study completed, he was on the Rural Team, 100% time. Mr. Sweet, however, did not change his mind. (Attachment II, p. 32)

It is alleged that the reason for Dr. Rosenfeld's early termination was related to an article which Dr. Rosenfeld wrote. In December, 1981, he received approval to write an article "on the size of the true federal investment in vocational education, particularly from agencies outside the Department of Education, the goals of those programs, and the effects of potential reductions in the programs", based on a Congressionally-mandated study which NIE had funded and just completed. On March 10, the article was published in Education Week. The article concluded that the budget cuts to vocational education would be more extreme than people had been led to believe because of the vast cuts to programs outside the Department of Education. Mr. Curran expressed displeasure about the article to Dr. Yanofsky who was Dr. Rosenfeld's Associate Director. He stated that he expected to hear from the White House concerning the article. He also inquired about Dr. Rosenfeld's status and termination date. Dr. Rosenfeld's three-year appointment was subsequently scheduled to be terminated early. (Attachment II, p.26)

5. Dr. Michael Kane. Dr. Kane, Acting Associate Director of the Dissemination and Improvement of Practice Group was told in July by Mr. Sweet that he was being terminated in thirty days. He was told that he was not needed anymore. During the discussion, Mr. Sweet indicated that Dr. Rotberg, a Civil Servant who was then in the Assistant Director for Planning and Coordination position, would be placed in Dr. Kane's position of record—Assistant Director for Research and Educational Practice; that an SES employee from the department was being placed in the Associate Director position, and "one of their own" was becoming the Deputy Associate Director. Through some extensive lobbying, Dr. Kane was given an additional 60 days, which still terminated his appointment 30 days early.

6. Dr. Lana Muraskin. In December, 1981, Dr. Muraskin was detailed to the Department of Health and Human Services from NIE, to participate in a Congressionally-mandated study. In March, HHS requested an extension of the detail from July 1 to December, 1982, with her salary to be paid by HHS. Mr. Curran told Dr. Yanofsky, the Associate Director of the Educational Policy and Organization Group, that Dr. Muraskin would be terminated in April since she obviously was not needed at NIE. After discussions with Dr. Yanofsky and Dr. Muraskin, Mr. Curran stated that she would be terminated when her detail ran out in July. When Dr. Muraskin began to prepare a grievance, and questioned Mr. Curran more thoroughly about the reasons for early termination, Mr. Curran relented and decided not to terminate her contract early, but allowed it to run out on September 10.

B. Reassignment of Employees to Different and Sometimes Non Positions

The following actions completely cleared the Planning Office of its personnel except for Bruce Fech, an Educational Policy Fellow, who received no supervision for the rest of his one-year term.

The only explanation for this action provided to the planning staff was that the office should not be separate from the Director's Office, and they wanted people who 'think like them' in those positions. The Acting Director is now beginning to fill those positions with non-Schedule C political appointees. As will be pointed out in Section V, this attempt to politicize the the planning process has had adverse effects on the planning/budgeting process.

1. Dr. Iris Rotberg. On April 1, Mr. Sweet informed Dr. Rotberg that she would be reassigned from her Director of the Office of Planning and Program Development position to become the Assistant Director for Program Coordination and Analysis in the Dissemination and Improvement of Practice Group effective on April 12. On June 12, Mr. Sweet notified her supervisor, Dr. Kane, that she would be reassigned again--this time to the position of Assistant Director for Research and Educational Practice, within the DIP group. (Attachment II, pp. 28-29) She was replaced by Mr. Roan Garcia-Quintana, who was hired by the Department of Education on a Schedule C appointment, and who was later given the excepted service position of Deputy Associate Director.

2. Susan Gruskin. Ms. Gruskin, a Civil Servant was reassigned to the Lab/Center Office, with no explanation, other than she was needed there.

3. Dr. Glen Harvey. Before she was fired, Dr. Harvey had been told she was being reassigned. Mr. Sweet and Mr. Curran agreed that she could look around for another position to suggest to them for consideration in her reassignment. However, after suggesting another position, she was fired.

In addition, the following transfer has taken place:

6. Ned Chalker (Civil Servant). On September 7, Mr. Chalker, the Assistant Director for Program Coordination and Analysis, in the Teaching and Learning Group was told he was being reassigned to the position of Assistant Director of Home, Community and Work. The Acting Director, Mr. Sweet, confirmed this in a memo to Mr. Chalker on Sept. 9, also stating that he would continue to support the immediate office of the Associate Director on an ad hoc basis, until February 11, at which point he will be reassigned to the position of Assistant Director of Learning and Development or another available equivalent position. Mr. Chalker has grieved this decision because the position of Assistant Director of Home Community and Work is a non-position, with neither staff nor budget (Attachment II, pp. 60-65). This means that his actual duties are not commensurate with his position description. The negative grievance decision from Dr. Senese, Assistant Secretary for OERI, agreed that Mr. Chalker has "indeed been placed in an area in which program activities are being phased out"; however, it went on to state that since the assignment is only temporary, Dr. Senese could offer Mr.

Chalker no relief. (Attachment II, pp. 85-86) Mr. Chalker also grieved that the reassignment to a non-position was in retaliation to the group grievance filed on August 13. (see below) Dr. Senese chose to misinterpret that element of the grievance and stated that Mr. Chalker had been told that he was going to be reassigned before he filed the grievance. This is true; however, he had not been told the position—or non-position—to which he was going to be reassigned before he submitted his grievance.

Mr. Chalker had been told, previously, by Mr. Sweet, that he was being moved out because "they wanted one of their own in that position". Mr. Chalker is being replaced by Dr. Dorothy Parker, a non-Schedule C political appointee who will assume the position of Deputy Associate Director. (Section III).

He has subsequently been ordered to move offices twice within one week.

C. Arbitrarily Down-Rating Merit Pay Employees

On July 30, nine merit pay employees received their merit performance ratings from the Director's office, and found that the approving official, the Acting Director, Mr. Sweet, had down-rated them from what their supervisors had recommended. In seven cases, the ratings were lowered from outstanding to fully satisfactory; in two cases, from superior to fully satisfactory. This action has significant effects on merit pay increases, and would affect longevity calculations in a RIF situation. No explanation was provided for this action, and it was discovered that Mr. Sweet had not discussed the individual ratings with their supervisors. He subsequently changed one back to outstanding at the request of the Associate Director. In a discussion between Mr. Sweet and two staff members which they had requested, Mr. Sweet gave his reasons for the downrating. The essence of his position was that regardless of the fact that he knew nothing of their performance, there just shouldn't be so many 'outstandings' in the agency. Mr. Sweet added that since the agency had not had much activity during the year, e.g., no RFPs or Grants Announcements, no one could really be outstanding. The employees pointed out that they had no control over the decisions made at top management levels, and therefore should not be held responsible for the fact that the Agency had not issued RFPs or grants announcements. Mr. Sweet stated that he had acted "irrationally", but had been "equitable". A Group Grievance has been filed against Mr. Sweet. (Attachment III, pp.74-88; Attachment II, p. 37)

D. Reorganization and Layering of Program Offices Causing Erosion of Jobs, and Placing Assistant Directors in a Potential Downgrading Situation

The old and new organizations of the program offices are as follows:



The Assistant Directors (GS 15s and equivalents) are now being supervised by the Deputy Associate Director (GS 15 equivalent). They used to be supervised by the Associate Director, a SES position. This layering causes erosion of duties and places the Assistant Directors in a potential downgrading situation. This problem is exacerbated by the fact that the individuals hired to fill these positions—Dr. Parker, Mr. Garcia-Qintana and Dr. Rupert—are non-Schedule C Political Appointees and have questionable qualifications for the job. (See Section V)

This is being done at a time when the Office of Research and Improvement of Practice has been asked to assess the need for a number of overhead positions—the DAD being one of them. (Attachment II, pp.87-88).

E. Screening of Employees for Political Affiliation

It is 'common knowledge' that all Department of Education employees GS-14 and above are being checked for party affiliation. Also, there was one instance in which an excepted service appointment into a technical position within the Office of Research and Improvement of Practice, was held up while Mr. Heatherly's office checked the employee's political affiliation. The employee does not wish to be named.

F. Other Acts of Reprisal Against and Expressed Anger at Program Staff

As professionals, the NIE program staff expect to be a part of the decision-making process at NIE, and also to be able to seek clarification of procedures which they are asked to carry out. Middle-level managers also assume that it is their responsibility to point out to the Director's office, any procedure which violates regulations, could be construed as a questionable management practice, or viewed with disfavor by our constituents. While staff may question procedures and policies, it is clear that the Director is the final authority for most internal NIE decisions.

The Acting Director, Mr. Sweet, clearly does not expect program staff to be involved in management decisions, and is also uncomfortable with procedural questions. He and his staff have reacted, harshly, a number of times toward program staff who question decisions or procedures, or point out problems.

1. **Field Readers.** The imposed set of field readers produced many questions and concerns in program staff's minds. Field readers were imposed for two processes: review of unsolicited proposals, and the lab/center proposal reviews.

Unsolicited Proposals: After program staff had submitted their recommendations for field reviewers of the proposals for which they had responsibility, the Director's Office requested extensive information about the proposals, with the implication that they were going to assign field readers. Dr. Datta, then Associate Director of the Teaching and Learning Group, wrote a memo to Mr. Kaufman, suggesting that, while the names of readers of individual proposals would not be public

information, the process of selection would be. She suggested that they rethink the procedure. (Attachment II, p. 27) Mr. Kaufman wrote back an angry note at the bottom of the memo. He also informed her that Mr. Ascik wanted all copies of the memo destroyed. It was soon thereafter that the Program staffs received instructions to use the Director's office's list of reviewers. (See Section V, D)

Lab/Center Proposal Reviews: The Director's Office made the decision that a set of approximately 400 vitae would be used to review the lab/center proposals. The coordinator of labs and centers, Dr. Carroll, and a number of others devised a way to categorize the vitae, and make them available for the Institutional Monitors of lab and centers. On May 20, the Associate Directors were asked to nominate two names to review the vitae. Mr. Curran was very insistent that Jean Miller be named to this assignment, which she was. (Attachment II, p. 24). At an Institutional Monitors meeting the next morning, also attended by Ms. Trent, a Schedule C staff member and representative of the Director's Office, the procedure for field reader review was explained by Dr. Carroll. Several people asked questions which obviously touched on a raw nerve. Dr. Hammond, for example, asked where the names had come from. He also asked what would happen if he could not find qualified people in the list of reviewers. Ms. Miller directed a question to Ms. Trent as to whether we could assume that the persons on the list were selected because they had some educational research experience. Ms. Trent replied, "no".

After the meeting, Mr. Chalker received a call from Dr. Carroll who stated that Ms. Miller was to be removed from the assignment to review lab and center readers, and offered no explanation of why. He suggested that something may have taken place at the Institutional monitor's meeting that prompted this decision. On the following day, Dr. Datta received a call from Mr. Curran, demanding that Ms. Miller be replaced as Institutional Monitor. The Director refused to state the reasons for his decision. (Attachment II, pp. 83-84)

The consequences for Dr. Hammond were somewhat more profound. He, also, was replaced as Institutional Monitor; and soon thereafter, he learned that he was being terminated early. In a meeting with Mr. Sweet, which Dr. Hammond had requested to find out why he was being terminated early, Mr. Sweet refused to state why. However, while he denied that he was terminating Mr. Hammond early because once worked in the Director's Office in a previous administration, he did not deny that it was because Dr. Hammond had asked questions about where the names of the field readers had come from in the Institutional Monitor's meeting. (Attachment III, pp. 96-103)

2. **Dr. Waida Eagenstos:** On September 15, Dr. Toni Haas had her exit interview with Mr. Garcia-Quintana. In the course of the conversation, Mr. Garcia-Quintana asked Dr. Haas to warn her friend, Dr. Eagenstos, that he did not like her "walking the halls"—that it looked like she had nothing to do, and that he didn't like the way she looked at him. He said that Dr. Eagenstos had better watch out because her extension papers were not yet through.

When Dr. Bagenstos heard this, she immediately wrote a memo to Mr. Garcia-Quintana outlining everything she had to do. He wrote back saying there must be a misunderstanding, but he was happy to receive her memo.

Shortly thereafter, Dr. Bagenstos' supervisor, Dr. Rotberg, was told that Dr. Bagenstos could not act as Assistant Director for her in her absence. Also, on September 28, at 4:25 p.m., Dr. Bagenstos received a memo from Mr. Sweet, signed by Ms. Whitten, stating that she had been removed from the Joint Dissemination Review Board, immediately, to be replaced by Mr. Lusk. The timing was important, because there was a panel meeting the next morning for which she had prepared. Mr. Lusk is a non-Schedule C political appointee who does not have adequate research or evaluation experience to participate on the Board.

V MISMANAGEMENT

The attempts to politicize the research agenda and to place control and decision-making in the hands of politically-acceptable individuals—who turn out to be unqualified for their positions—have created chaos and confusion. There have been at least three different FY '83 budget documents; extensive end-of-the-year funding is contemplated; the field is confused as to whether any of the competitions to which they have submitted proposals will be funded; the staff is becoming immobilized because so many different people are telling them what to do; and papers such as FCRs, travel, etc. are lost because they must now all be signed by the Acting Director himself.

A. Research Plans and Budgets.

Program managers at NIE are no longer responsible for developing NIE's research agenda. In previous years, program managers, under general policy and procedural guidance from the Director's office, wrote the plans which guided the Institute's work in their area of expertise. These plans provided a coherent strategy for advancing knowledge and answering policy questions. They described the rationale for the problems to be studied, reviewed existing knowledge, discussed the relationships of the research topics to the Institute's goals and priorities and proposed projects, and estimated budget and staff requirements. The plans were reviewed by the Director's office in terms of conceptual integrity, relevance to NIE's legislative priorities and to outside audiences, and quality of proposed research methodology. But the program managers maintained the responsibility for conceptualizing and writing the plans and for implementing the research after the plans were approved.

This process was altered in the last budget cycle. Program staff are now expected to respond to projects which are determined by the Director's Office. In the early Spring, '82, they received a two-page description of planning guidelines, and a two-page set of possible

research topics (Appendix III, pp.1-4). They were asked to respond, within one week, by developing plans and budgets. The responses were submitted and a Draft FY '84 Research Plan was given to the Associate Directors by the Director. (Appendix III, pp.5-14; while the document states FY'84, it was later determined that it was meant to be FY'83 and '84.) This plan consisted of one- and two-line descriptions of projects, and included procurement type (RFP or Grant), and budget figures. Some projects were recognizable as being related to material the program staff submitted. Others were completely different. Location of projects within program groups indicated a lack of understanding of the research areas for which groups had responsibility, and the budgets were inappropriate (high and low) for the scopes of the projects. The staff was ordered to begin work on individual procurements at that point.

After Mr. Curran's departure, the Associate Directors received a copy of the new budget plans from Ms. Ola Clark. These had been prepared with no input from the program staff. (Attachment III, pp.30-45). Apparently this budget still holds, and staff are working on these procurements; although recent discussions around the operating plans indicate that the FY '83 budget plans have still not been approved by the Acting Director.

Current procedures at NIE have had clear costs in terms of the quality and integrity of the research program itself. These costs are summarized in a letter from Harold Howe II, who was Chairperson of NIE's advisory board, to President Reagan. As reported in The Chronicle of Higher Education (Attachment I, p.12), Mr. Howe noted in his letter that:

NIE's current planning for the future is characterized by brief and vague documentation; it has an ad hoc style untypical of the careful work which has prevailed at NIE in recent years.

Mr. Howe further stated that:

a strong ideological overtone has been introduced into NIE's future plans reflecting an emphasis on viewpoints and interests that are likely to divert NIE from focussing upon the mainstream of American education and American society, and move it in the direction of serving special interests and narrow or extreme concepts of educational development.

As a result, Mr. Howe concluded that the Institute will "be deeply in the ebb and flow of partisan politics."

In responding to a request by the American Educational Research Association to review the plans, Dr. Howard Gardner, of Harvard University, wrote:

The proposal is anachronistic (or timeless). Most of the issues in it could have been investigated (given slightly different wording) at any time during the last fifty years. Relatedly, the proposal is ascientific, and has clearly been framed outside the research community. Indeed, it is written as if no educational research had ever been carried out before. Nowhere is there evidence that the list of topics had ever been informed by findings, or even by

promising concepts and modes of analysis, which have been formulated by the educational research community over the past several decades. This is probably the most disappointing aspect of the proposal—it reads as if none of us had ever existed, and as if no work had ever been executed. (Attachment III, pp. 89-91)

B. Hiring of Technical/Professional Staff

Excepted Staff are now being hired directly by the Acting Director of NIE, with no opportunity for the Supervisor to interview the applicants. Mr. Sweet appears to be little interested in priorities for hiring. In one situation, Mr. Sweet hired a senior reading research specialist for the Teaching and Learning Group, where reading research is already an extremely strong suit, and other needs are more important. The Associate Director, Dr. Jackson was, several years ago, the Director of The Right to Read Program; the Assistant Director is a reading research specialist with a Ph.D. in Education with an education research major and a minor in reading instruction; and there are two other extremely strong reading researchers in the Division: Mr. Monte Penny, and Dr. Judith Orasanu.

Supervisors often have little or no knowledge of certain hiring actions until they have been completed. In the incident mentioned above, the first time the Supervisor heard of a hiring was when Mr. Kaufman came to him to ask what his new employee's duties would be. The Associate Director had not been informed of this action, either. (Appendix II, pp. 38) Further, the Supervisor had not established the position (Form OF-8) as required in the Operating Procedures for Implementation of NIE's Policy Directive on the Excepted Appointing Authority.

Mr. Sweet and Mr. Kaufman are causing disruptions among the staff by involving themselves personally in the distribution of office space to the new staff members. In two cases, they have insisted on providing new staff members with scarce window offices, causing disruptions because of domino-like responses. (Attachment II, p. 90, Kaufman memo).

C. Directions to Individual Staff Members

Members of the Director's Office—particularly Mr. Ascik—have circumvented the Associate and Assistant Directors in directing individual staff members to perform program tasks. It is expected that the Director's office has the prerogative to ask individual staff members for information, request their presence at meetings, etc. However, it is also expected that the Director's Office "go through channels" on program matters, since the managers are responsible for employees' time and activities. The Director's office has directly requested individual staff members to write briefing papers and scopes of work, prepare papers for a "must-fund" proposal and provide "advance" information on the "good" proposals responding to an RFP without first consulting with Associate or Assistant Directors. Staff members are very confused by all the requests coming to them, and resent the direct requests from Mr. Ascik. (See Attachment II, p. 69) The managers have made it clear to both the Acting Director and Mr. Ascik on many

occasions that they cannot be held responsible for the tasks so allocated, and that Director's office people should go through the channels. In that this problem still continues, it can conclude that the Acting Director has made a deliberate decision to bypass the program managers. Attachment II, pp. 34,49,51,69 contains descriptions of a number of instances of this behavior—including one in which the Director has taken over the actual supervision of part of a new employee's time.

D. Field Readers

On two occasions, program staff have been required to use lists of field readers which the Director's Office has supplied. On the first occasion, the staff had gone through the lengthy process of reviewing the proposals, and selecting appropriate field readers for each proposal. The staff was very sensitive to the Director's Office complaints that the staff needed to get "new blood" into the reviewer process, and the complete list was carefully reviewed by the Associate Directors for equity, improvement of practice, and "new blood" mandates. After the lists were submitted, the Director's Office initiated a new procedure. They gave the program offices a set of reviewers: each reviewer had some information filled in on a one-page form. Each reviewer had to be used at least once; each proposal required one of their reviewers, and the Director's office reviewers would do at least 50% of the readings. (Attachment II, p.22) It turned out that some of the readers on the Director's list were, in fact, familiar faces who had read for us, extensively, in the past. Others, however, were unfamiliar, with questionable qualifications for reading research proposals. The process of fitting proposals into a list of reviewers rather than selecting readers on the basis of the proposals led to a process in which program staff felt that they could not be held accountable for the quality of the reviews. (See Attachment II, p.23,52).

The field reader process was even more complex for the Lab/Center review. Program staff received approximately 400 vitae from which they were to choose readers for the lab/center proposals. As indicated from some of the letters attached to the vitae, these were from people who were applying for jobs in any government agency, requesting to be placed on commissions, or to be used in any capacity that person to whom they were sent—the President, Congressman, Senator or Secretary—saw fit. It was an extraordinary process to sift through these vitae, particularly when few of them indicated any experience or interest in educational research. Nonetheless, if staff wanted to use anyone other than someone from this set, they had to write extensive memos explaining why, to be reviewed and approved by the Acting Director, Mr. Sweet, before they could proceed.

E. Decisions Regarding Funding of RFPs, Grants, Unsolicited Proposals:

The inability or unwillingness to make funding decisions, and to constantly change directions have created a confusing situation for the staff and the field. Many, many proposals have been written at great

expense for competitions which have been delayed and/or cancelled. NIE had developed a reputation for stability in funding, and was attracting large number of extremely good proposals to its competitions. That credibility is being dissipated by the nondecisions, and mixed signals which emanate from the Director's Office.

Due to severe budget constraints, a large number of FY '81 procurements were delayed until FY '82. In all cases, proposals had been received from these competitions, and decisions had been made by program offices as to which proposal would be recommended for funding. For example, in the Teaching and Learning Group, a total of six RFPs, thirty-three approved large grants, and a number of approved unsolicited proposals were deferred. A total of 500 proposals had been received for the grants announcement, and 125 field readers and 50 panelists were involved in the reviews. (Attachment II, pp. 73-74)

The report language of the House Appropriations Committee on FY '82 Appropriations stated that NIE should use funds left over from continuations to fund only the delayed procurements. In October, the program staff received a memo from Mr. Curran with some tentative funding decisions, pending decisions on our FY '82 budget. (Attachment II, pp. 71-72) In December, it was announced that we would go ahead with our unsolicited proposal review. This decision created many concerns for the Program staff, who saw themselves involved in yet another review process which would lead nowhere. Further, Mr. Curran had made no final decisions about the deferred procurements, and appeared to be making a decision to fund new starts.

On April 22, the Program Staff received Mr. Curran's decisions regarding the delayed procurements. A total of \$857,000 worth of projects were to be funded, with close to half of that going to three projects at Rand Corporation. There were no large grants on the list. Some outside political pressure, which Mr. Curran complained about to staff, caused him to fund one large grant. (Appendix II, pp. 75-77)

Considering the cost of grant proposal writing and review—500 proposals at a conservative estimate of \$2,000 each to produce, and a review cost of approximately \$200 each—a total of \$1,100,000 was spent on a process which yielded one funded project.

In late May, after program staff had sent the unsolicited proposals out for review, Mr. Ascik requested nominations from Program Offices for RFPs that could be developed and receive funding in FY'82. The Teaching and Learning Group was told to proceed with two of them, which they did at great effort, since June is a very late starting date for an RFP. On August 20, on the day that proposals were being read for one of the RFPs, the Associate Director was told that the funding for the RFPs would be delayed until FY '83, in favor of the unsolicited proposals. Letters again had to be sent out to proposers stating that the decisions were being postponed.

Several memos were written to protest the decision to delay the funding of the RFPs, particularly because the field was getting impatient with the mixed signals which come out of NIE on when and if competitions to

which they responded will be funded. (Attachment II, pp.42-45, 42-45). However, the decision to fund the unsolicited proposals at the expense of the RFPs, still held.

The final unsolicited proposal slate, signed by Mr. Sweet, contained one of Mr. Sweet's favorite topics: the negative influences of values education. (Attachment II, p.41) This proposal to study textbooks "to determine the extent of values-education materials contained" and their effects on students' values received negative comments and low scores from its field readers. (Attachment I, p. 12). Mr. Sweet also funded a "Dear Bob" letter as an out-of-cycle unsolicited proposal from the Foundation for Oregon Research and Education, to sponsor a conference on economical alternatives for education. (Attachment III, pp.52-88). The three page letter requesting funds for a conference was sent on September 7, and requested feedback by September 10. The papers were signed by the Program office on Sept. 14, and the proposal was formally reviewed by that office on September 15. The contract was signed very shortly thereafter.

F. The Lab/Center Decisions

The National Institute of Education is mandated to fund 17 educational research and development laboratories and centers. The laboratories are private, non profit institutions which are expected to conduct action research, development and dissemination to meet regional needs. The centers are attached to Universities, and are expected to provide national leadership in a number of research areas. In 1979, most of the labs and centers were given five-years of institutional support, with initial three-year contracts. It was expected that during the third year, an institutional review would provide input into a decision as to whether to sign another three-year contract with the institution, or provide a one-year contract for institution-building at which point a decision would be made as to whether or not to close down the institution. In the summer of 1981, severe budget cuts forced NIE to rethink its Lab/center policy. A number of papers were written, and a plan was developed to work toward a possible recompetition of labs/centers, probably ending up with fewer institutions. Plans were also developed for a third-year review which was mandated in Congressional language. It was conceded that if plans did not move extremely fast, the labs/center would have to be funded for an additional two years, while the recompetition was being planned and implemented.

When Mr. Curran was appointed as Director of the Institute, the Associate Directors pressed him to make decisions concerning the labs/centers. They developed a number of documents for him, with alternatives tasks, and time-tables, He seemed unwilling or unable to make these decisions. In December and January, Mr. Curran began to talk about an "open competition" for labs and centers. On February 9, 1982, Mr. Curran wrote to labs and centers, requesting one-year proposals to be submitted on May 25, and asked them to come to NIE to discuss their plans with him in March. On March 19, another letter from Mr. Curran to the lab/center directors described the purpose of the March meeting and

stated that future funding would be competitive, with competitions to be announced in the fall. However, to keep labs/centers going until the award dates for the competitions, NIE would fund a close-out year for the labs/center. The one-year proposal, then, would contain close-out plans.

When Mr. Curran's FY'83 and '84 budget (Appendix III, pp.5-14) became public in April, it was clear that Mr. Curran had no intention of recompeting labs/centers; that these institutions could apply to regular RFPs and grants announcements, but there was no money in the budget for institutional support. The lab/center group made the decision to sue NIE for not fulfilling the long-term relationships as established in 1979.

In May, field readers were being contacted to review the one-year close-out proposals. However, at a meeting of Institutional Monitors in June, Dr. Carroll informed the group that Mr. Sweet had decided to fund the labs/centers for two years, and that we would use the submitted proposals for the first year, and request another proposal next year. The I.M.s and the contracts and grants office protested, stating that it would be much more efficient to request two-year proposals; particularly because the one-year proposals contained close-out plans. Dr. Carroll stated that all of this had been discussed with Mr. Sweet, but that he was adamant that we would do it his way. An elaborate plan was developed to determine how much of each budget was for close-out costs, at which point the labs/center would write amendments to cover those amounts. We were told to hold off on the review, however, until letters had been sent to the labs/centers.

On July 28, a letter went to each lab/center director requesting two-year proposals to be submitted on September 7. The proposals are now in and have been sent out for review. However, on September 23, Mr. Sweet sent a letter of clarification to each lab and center, with the perplexing statement: "Proposals for NIE funding of programmatic and institutional activities should be developed by the center in consultation with the Director, to determine whether the proposed activities are consistent with the education research and dissemination activities conducted by the Institute." (Appendix III, pp.78-79)

G. The National Council on Educational Research:

The National Council on Educational Research is a policy-making board which was created under the law establishing the National Institute of Education. Members serve terms of stipulated length, and are appointed by the President.

In April, the President sent letters to all fourteen present members saying their appointments had been terminated. The terms of eight of these members had expired, but they were serving until replacements could be named; four members' terms were due to expire in September, 1982, and two in September, 1983.

Mr. Howe, the past chairperson of the Council, charged that Mr. Curran had refused to call a meeting to review the program plans. Since the

Council is supposed to set broad policies, Mr. Howe felt that the Council was not able "to carry out its statutory authority". (Appendix I, p. 5)

The newly named council members have not been approved by the Senate. Therefore, there has not been a council meeting since February.

H. Funds Commitment Process:

The Acting Director now approves project review boards, draft statements of work, and recommendations on the competitive range of proposals submitted to a Request for Proposals. This authority previously rested in the position of the Associate Director. (Appendix III, pp.15-18) He now must also sign any funds commitment for \$25,000 or more. This causes delays in the process, and the possibility of politicizing the process, given the obvious political objectives of Mr. Sweet and those he has hired.

I. Travel.

Program staff has submitted three different travel plans this year. This plan lists the staff member, the reason for travelling, where s/he is going and the cost. For some reason, the Director's Office did not approve any of these plans. At this point staff members must write extensive memos describing the trip, and the purpose, and submit it to the Acting Director for signature. (Appendix II, pp. 80-81) He has approved very few trips—although we do not have an S&E problem, and he has not provided reasons for turning down trips, and has not revealed the criteria for his decisions.