



September 23, 2026

Zachary Rogers
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

RE: Comments on Notice of Proposed Rulemaking, Education Department General Administrative Regulations (EDGAR), 91 FR 54666 (Aug. 24, 2026); Docket ID ED-2026-OPEPD-2542; RIN 1875-AA14

Dear Mr. Rogers:

We write in response to the Department's August 24, 2026, notice of proposed rulemaking (NPRM) to amend the Education Department General Administrative Regulations (EDGAR), 91 FR 54666. Our comments address the proposed changes to EDGAR's evidence framework and definitions, as well as provisions that align with the proposed Uniformed Administrative Requirements changes.

This comment reflects the collective input of our respective organizations:

- **America Forward** leads the America Forward Coalition, a network of more than 100 of the nation's most impactful and innovative non-governmental organizations. We work together to develop, advance, and implement more effective policies that increase opportunity for all, including in early learning, K-12 education, postsecondary success, and workforce development. Since our founding, America Forward has emphasized the importance of rigorous, evidence-based approaches to Federal grantmaking. Many America Forward Coalition members have direct experience applying for, and being evaluated under, EDGAR's evidence-related definitions including such programs as Education Innovation and Research and Postsecondary Student Success Grants.
- The **Coalition for Evidence-Based Policy** is a nonprofit, nonpartisan organization whose mission is to tackle major U.S. social problems using rigorous evidence about "what works."
- **Results for America** helps government leaders find, fund and implement solutions that work to accelerate upward economic mobility and improve lives. We work with federal, state and local government decision-makers to increase their use of evidence and data in budget, policy and program decisions.

We strongly support efforts to improve the accessibility and impact of federal grantmaking, and appreciate the Department of Education's long leadership in driving evidence-based solutions. We are concerned, however, that several of the proposed changes may have counterproductive effects. Our comments address the following issues:

- (1) Preserve evidence standards that distinguish rigorous evidence

- (2) Expand capacity for evidence reviews while maintaining strong standards and avoiding gaming
- (3) Ensure reliability and accessibility of funding

I. Preserve the Standards That Distinguish Rigorous Evidence

The NPRM proposes to replace the current EDGAR definitions of “strong evidence,” “moderate evidence,” and “promising evidence” at § 77.1(c) with simpler definitions aligned to the statutory Every Student Succeeds Act (ESSA) evidence definitions at 20 U.S.C. 7801(21)(A)(i). These changes would substantially weaken all three standards of evidence, constituting a step back from the standards promulgated under the first Trump Administration that explicitly sought to align the Department’s regulatory approach with ESSA’s provisions (though maintained a higher standard of rigor for the regulatory EDGAR definitions).¹ Earlier this year, America Forward and Results for America published a paper, *Setting the Right Standard*, discussing how ESSA implementation over the past decade revealed the limitations of the statutory evidence standards, in comparison with the Department’s regulatory EDGAR standards:²

- **Protections against cherry-picking.** For the strong and moderate standards, the NRPM also eliminates the requirement that qualifying studies include multiple sites (or multiple studies) and at least 350 total individuals. In comparison, the ESSA rule requires applicants to cite just a single study and incorporates no requirements around sample size, raising major concerns that applicants can cherry-pick evidence with limited transferability. Applicants could leverage single-site, small-sample studies — far more susceptible to chance findings and limited generalizability — to carry the same evidentiary weight as larger, multi-site randomized studies. As veteran education leaders Nora Gordon, professor at Georgetown University, and Carrie Conaway, former chief strategy and research officer for the Massachusetts Department of Elementary and Secondary Education, noted in a 2020 piece, “Since you can find a study to show just about anything, ESSA’s evidence requirements sadly have turned into compliance exercises for many districts.”³
- **Core methodological standards.** For the strong and moderate standards, the NPRM eliminates the requirement that a study meet What Works Clearinghouse (WWC) design standards, which address issues such as attrition, composite outcome construction, and randomization integrity. While some streamlining of the WWC standards might be warranted in favor of accessibility, these standards are critical bulwarks against statistical manipulation and in favor of rigor and replicability. For example, severe attrition can

¹ U.S. Department of Education (July 31, 2017, “Definitions and Selection Criteria That Apply to Direct Grant Programs,” 82 FR 35445, <https://www.federalregister.gov/documents/2017/07/31/2017-15989/definitions-and-selection-criteria-that-apply-to-direct-grant-programs>.

² Sackett (2026), *Setting the Right Standard: The Need for a Stronger Definition of “Evidence-Based” in the Workforce Innovation and Opportunity Act*, America Forward and Results for America, <https://www.americaforward.org/wp-content/uploads/2026/01/AMFW-RFA-Setting-the-Right-Standard-January-2026.pdf>.

³ Gordon and Conaway (2020), “To Broaden Evidence Use Beyond the Federal Law’s Requirements, Use Common Sense,” <https://www.educationnext.org/to-broaden-evidence-use-beyond-the-federal-laws-requirements-use-common-sense/>.

result in research that substantially overstates its relevance and rigor, and researchers regularly omit data on such issues.⁴

- **Importance of context.** Finally, the NRPM eliminates the requirement that project components overlap with both the population *and* setting of underlying evidence to qualify for strong evidence, and that project components overlap with *either* the population *or* setting of the cited evidence to qualify for moderate evidence. Decades of experience in education research and other domains have demonstrated that context matters: what works in one place, might not work in another for a litany of reasons.

We are concerned by the potential impacts of these changes, particularly in light of the Administration’s emphasis on gold standard science as a guiding principle. The President’s Executive Order 14303 directs agencies to ensure that the science underlying Federal decisions is “reproducible,” “transparent,” and “subject to unbiased peer review,” and to evaluate evidence using a “weight of scientific evidence” approach that expressly considers “study design, fitness for purpose, replicability, peer review, and transparency and reliability of data.”⁵

While we appreciate the NPRM’s intent to align evidence standards and to reduce burden, and also appreciate the Department’s selection criteria around evidence-based literacy, we urge the Department to reconsider these changes given the risks of weakening evidence standards. The Department estimated these changes would save \$186,363 annually by reducing burden. However, considering just one program, Congress appropriated \$235 million in FY2026 for Education Innovation and Research (EIR) FY2026: about 1,261 times as much as the Department’s estimated cost savings.

Instead, we suggest that the Department consider slightly updating the Supplemental Priority on Evidence-Based Literacy to align with the broader, preexisting EDGAR framework; consider ways to streamline the WWC in an updated version of the protocols; and provide expanded technical assistance to grantees.

II. Expand Capacity for Evidence Reviews While Maintaining Strong Standards and Avoiding Gaming

The NRPM also proposes to add a new definition of “evidence framework” to § 77.1(c) that would, at the Department’s discretion, shift the burden of evidence review “from Department-funded evidence reviewers to reviewers funded by third parties (e.g., philanthropy, State educational agencies).”

We appreciate the Department’s emphasis on accelerating the process of reviews and expanding accessibility, including by enabling potential applicants to pre-assess the evidence standard for which their cited research would qualify (as opposed to the Department and its contractors completing a necessary review after the organization has applied for a grant). The responsiveness

⁴ See, e.g., Wilson (2017), “Overstated findings, published in Science, on long-term health effects of a well-known early childhood program,” Straight Talk on Evidence,” <https://straighttalkonevidence.org/2017/10/04/overstated-findings-published-in-science-on-long-term-health-effects-of-a-well-known-early-childhood-program/>.

⁵ White House (May 23, 2025), “Restoring Gold Standard Science,” Executive Order 14303, <https://www.whitehouse.gov/presidential-actions/2025/05/restoring-gold-standard-science/>.

and speed of WWC reviews is a longstanding challenge that has limited the WWC's utility to guide decision-making and improvement in the field, as well as for the incorporation of evidence-based priorities in Department grants.

However, we are concerned that the Department's proposed approach would lead to unintended consequences that threaten the rigor of evidence and, ultimately, the impact of public investments under evidence-based grantmaking priorities. Key challenges include:

- **Uneven standards.** The proposed evidence framework that reviewers would leverage involves a much higher-level set of criteria than the in-depth standards the WWC protocols require (e.g., simply "considering the impact on the validity of the study of any changes to the sample over time" as opposed to the WWC's specific boundaries for high versus low attrition), summarizing over 200 pages of the WWC 5.0 protocols and standards into a few bullet points. Essentially, applicants could choose their own set of standards as different reviewers could come to very different conclusions under such broad language. This approach threatens to substantially weaken the evidence standards that govern the Department's grantmaking and create confusion – for example, if a study qualifies for "strong evidence" under an evidence framework but fails to qualify under a separate WWC review process.
- **Openness to gaming.** Given the broad standards under the evidence framework process in contrast to the WWC, the NPRM's approach would potentially open the evidence review process to gaming as organizations could shop for the most favorable, lenient reviewers.
- **Unclear process.** It is not clear how the Department would confirm that an organization has a "high-quality, rigorous, transparent (i.e., publicly accessible) process" for conducting the framework process. We are concerned that without significant oversight – which would likely exceed the relatively small cost of study reviews– this process will outsource evidence reviews with limited visibility by the Department, even though evidence determinations are a critical component of grantmaking deliberations.

We deeply appreciate the Department's interest in increasing accessibility in the evidence review process. However, we are concerned that the proposed solution will impose a new set of challenges as opposed to addressing the underlying concerns. Instead, we make three suggestions:

First, if the WWC standards are too complex for applicants and reviewers to apply efficiently, IES should streamline and condense the WWC Handbook and review protocols through an intentional process that appropriately balances rigor, simplicity, and accessibility.

Second, if WWC reviews are taking too long, the Department should expand its procurement and staffing capacity to conduct them. The Department notes each study review costs \$3,500, a very small cost relative to the hundreds of millions of dollars the Department invests in evidence-building programs like EIR each year. The WWC's database of certified reviewers includes more than 500 certified individuals, but it is unclear that IES is currently able to

leverage this incredible capacity for evidence review.⁶ This could include a similar structure as the Department proposes in the NPRM by enabling individuals and organizations certified as WWC reviewers.

Third, we strongly support expanding accessibility for the study review process. Today, while the public can submit intervention and study suggestions to the WWC outside of grant proposals, these studies are only reviewed on a periodic basis by the relevant topic area team with limited transparency into the prioritization process.⁷ A more responsive, transparent, agile process, perhaps supported by AI, could expedite review. (And at the very least, every Department-supported causal study that could qualify should undergo a priority WWC review to make best use of public funds.) The Department could also consider enabling applicants to pursue an expedited review of research by paying the \$3,500 cost in advance, though we urge the Department to avoid creating a pay-to-play dynamic.

III. Ensure Reliability and Accessibility of Funding

We appreciate the Department's intent to maximize outcomes from public investments. We are concerned, however, that several of the proposed changes could have counterproductive results in implementation:

- **Competitive preference on direct cost rates (§ 75.228).** The Department asserts that this preference would “help ensure that Federal funds are directed, to the greatest extent possible, towards the core activities and outcomes of programs.” However, indirect costs often include critical activities such as evaluation, planning, and scale-up infrastructure that are essential to maximizing program outcomes. Instead, we suggest that the Department critically review grant applications to ensure impact-related criteria are appropriately prioritized, recognizing that many managerial criteria (e.g., capacity to implement) often constitute a high proportion of points even when they would be better considered on a threshold basis, not a major determinant of funding for organizations able to appropriately implement programs and funding.
- **“Merit-based” hiring (§ 75.500).** While we appreciate the importance of legal employment practices, the language in the NPRM provides for considerable ambiguity as to what “merit” and “high standards” means as opposed to ensuring organizations do not engage in legally prohibited discrimination.
- **Terminations for convenience (§ 75.901).** A broad-based approach to grant determinations undercuts the ability of organizations to rely on and plan for implementation of grant awards, threatening their capacity to effectively implement programs. The Department should instead consider expanding the use of milestone-based payments and other performance-based financing structures that set clear goals and alignment for continued funding.

⁶ Institute of Education Sciences (accessed September 23, 2026), “What Works Clearinghouse: Certified Reviewers,” <https://ies.ed.gov/ncee/wwc/reviewer#/SetNumber:1>.

⁷ Institute of Education Sciences (accessed September 23, 2026), “What Works Clearinghouse: Frequently Asked Questions,” <https://ies.ed.gov/ncee/wwc/FAQ>.

Conclusion

We would welcome the opportunity to meet with you and your team to discuss any of the recommendations above, and to continue supporting the Department's efforts to maintain rigorous, evidence-based grantmaking.

Sincerely,

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