

## Legislative Roles and Responsibilities for the National Assessment of Educational Progress (NAEP)

The National Assessment of Educational Progress Authorization Act (NAEPAA)

Title III of P.L. 107-279

For duties, see also <https://www.govinfo.gov/content/pkg/STATUTE-116/pdf/STATUTE-116-Pg1940.pdf>

### Background

[Title III of Public Law 107-279](#) (the “National Assessment of Educational Progress Authorization Act” referred to here as NAEP Law) provides for the National Assessment of Educational Progress (NAEP) program. This program is a joint responsibility of the National Assessment Governing Board and the National Center for Education Statistics (NCES) as specified in the authorizing legislation.

The federal budget for the Department of Education includes separate line items for the Governing Board and National Assessment of Educational Progress operations (through the Institute of Education Sciences annual appropriation). Board members are appointed by the Secretary of Education. The Director of the Institute of Education Sciences serves as an ex officio, nonvoting Board member. The Governing Board has policy making responsibilities and oversees NAEP as detailed in Section 303 of the legislation.

Legislatively mandated duties of the Governing Board include the following areas, organized by the primary Committees which oversee the work:

1. Assessment Schedule [Executive Committee]
2. Budgeting and Contracting [Executive Committee]
3. Achievement Levels [Committee on Standards, Design and Methodology]
4. Design and Methodology [Committee on Standards, Design and Methodology]
5. Review and Evaluation of NAEP [Committee on Standards, Design and Methodology]
6. Assessment Development [Assessment Development Committee]
7. Contextual Questionnaires [Assessment Development Committee and Reporting and Dissemination Committee]
8. Reporting and Use of NAEP [Reporting and Dissemination Committee]
9. Release of Data and Items [Reporting and Dissemination Committee]

This document summarizes the roles and responsibilities of the Governing Board, NCES, and IES, how the Governing Board operationalizes its duties and where these duties intersect with NCES and IES roles and responsibilities. Several provisions in the NAEP law require collaboration between the Governing Board and the NCES Commissioner.

<b>Duties are defined in <a href="#">20 U.S. Code § 9621</a></b>	
<b>§ 302 (e) and § 303 the National Assessment of Educational Progress Authorization Act specifies duties</b>	
<b>1. Assessment Schedule [Executive Committee]</b>	
<i>NAEP Legislation § 302(e)(1)(A) and (F)</i>	
<b>Board</b>	The Assessment Board shall “select the subject areas to be assessed (consistent with section 303(b))”
<b>NCES</b>	<p>“The Commissioner for Education Statistics, in carrying out the measurement and reporting described in paragraph (1), shall –</p> <p>(B) conduct a national assessment and collect and report assessment data, including achievement data trends, in a valid and reliable manner on student academic achievement in public and private elementary schools and secondary schools at least once every 2 years, in grades 4 and 8 in reading and mathematics;</p> <p>(C) conduct a national assessment and collect and report assessment data, including achievement data trends, in a valid and reliable manner on student academic achievement in public and private schools in reading and mathematics in grade 12 in regularly scheduled intervals, but at least as often as such assessments were conducted prior to the date of enactment of the No Child Left Behind Act of 2001;</p> <p>(D) to the extent time and resources allow, and after the requirements described in subparagraph (B) are implemented and the requirements of described in subparagraph (C) are met, conduct additional national assessments and collect and report assessment data, including achievement data trends, in a valid and reliable manner on student academic achievement in grades 4, 8, and 12 in public and private elementary schools and secondary schools in regularly scheduled intervals in additional subject matter, including writing, science, history, geography, civics, economics, foreign languages, and arts, and the trend assessment described in subparagraph (F);</p> <p>(E) conduct the reading and mathematics assessments described in subparagraph (B) in the same year, and every other year thereafter, to provide for 1 year in which no such assessments are conducted in between each administration of such assessments;</p> <p>(F) continue to conduct the trend assessment of academic achievement at ages 9, 13, and 17 for the purpose of maintaining data on long-term trends in reading and mathematics”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc.)</i>	
<ul style="list-style-type: none"> <li>• The Governing Board by-laws indicate that permanent responsibilities of the Executive Committee include “recommending the selection of subject areas to be assessed, for consideration by the full Board.”</li> <li>• There is a <a href="#">Governing Board resolution</a> on setting priorities for the NAEP Assessment Schedule</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>• The Governing Board executes its duties in this area by setting the <a href="#">NAEP Assessment Schedule</a>, which indicates: 1) what subjects are assessed; 2) when those subjects will be assessed; 3) whether assessments will be administered at the national, state, and/or TUDA levels; and 4) whether a new assessment framework will be implemented with a given administration</li> <li>• The Board regularly coordinates work with NCES as required in section (g) <ul style="list-style-type: none"> <li>(1) to ensure coordination of their duties and activities relating to the National Assessment; and</li> <li>(2) for the Commissioner for Education Statistics to report to the Assessment Board on the Department’s actions to implement the decisions of the Assessment Board. This has also required consultation with the Commissioner of Education to determine whether adequate funds are available to support the planned/desired schedule, and if not, to decide whether to provide information to Congress to explain the necessity of additional funding from Congress and/or make reductions to the intended schedule.</li> </ul> </li> </ul>	

<b>2. Budgeting and Contracting [Executive Committee]</b>	
<b>Board</b>	<p>Section 303 (g) states “COORDINATION.—The Commissioner for Education Statistics and the Assessment Board shall meet periodically— (1) to ensure coordination of their duties and activities relating to the National Assessment; and (2) for the Commissioner for Education Statistics to report to the Assessment Board on the Department’s actions to implement the decisions of the Assessment Board.”</p> <p>“TECHNICAL.—In carrying out the duties required by paragraph (1), the Assessment Board may seek technical advice, as appropriate, from the Commissioner for Education Statistics and other experts.”</p>
<b>NCES</b>	<p>Section 303(a) states “ESTABLISHMENT.— The Commissioner for Education Statistics shall, with the advice of the Assessment Board established under section 302, carry out, through grants, contracts, or cooperative agreements with one or more qualified organizations, or consortia thereof, a National Assessment of Educational Progress, which collectively refers to a national assessment, State assessments, and a long-term trend assessment in reading and mathematics.”</p>
<b>IES</b>	<p>No mention in legislation besides Director serving as an ex-officio Board member</p>
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>The Governing Board by-laws indicate that the Executive Committee’s responsibilities include, “monitoring of the NAEP budget, the Board’s budget, and fiscal matters.”</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>Briefings by NCES on NAEP budget matters/funding flows and impacts to NAEP Schedule of Assessments.</li> </ul>	

<b>3. Achievement Levels [Committee on Standards, Design and Methodology]</b>	
<i>NAEP Legislation § 303(e)(1)</i>	
<b>Board</b>	<p>“(1) ACHIEVEMENT LEVELS – The National Assessment Governing Board shall develop appropriate student achievement levels for each grade or age in each subject area to be tested under assessments authorized under this section, except the trend assessment described in subsection (b)(2)(F).</p> <p>(2) DETERMINATION OF LEVELS – (A) IN GENERAL – Such levels shall – (I) be determined by –                      (I) identifying the knowledge that can be measured and verified objectively using widely accepted professional assessment standards; and (II) developing achievement levels that are consistent with relevant widely accepted professional assessment standards and based on the appropriate level of subject matter knowledge for grade levels to be assessed, or the age of the students, as the case may be.                      (B) NATIONAL CONSENSUS APPROACH – After the determinations described in subparagraph (A), devising a national consensus approach.                      (C) TRIAL BASIS- The achievement levels shall be used on a trial basis until the Commissioner for Education Statistics determines, as a result of an evaluation under subsection (f), that such levels are reasonable, valid, and informative to the public.                      (D) STATUS- The Commissioner for Education Statistics and the Assessment Board shall ensure that reports using such levels on a trial basis do so in a manner that makes clear the status of such levels.                      (E) UPDATES- Such levels shall be updated as appropriate by the National Assessment Governing Board in consultation with the Commissioner for Education Statistics.”</p> <p>“(4) REVIEW- The National Assessment Governing Board shall provide for a review of any trial student achievement levels under development by representatives of State educational agencies or the chief State school officer in a manner consistent with subsection (c), except the review described in paragraph (2)(C) of such subsection shall take place with the representatives described in this paragraph.”</p> <p>“REPORT – Not later than 90 days after an evaluation of the student achievement levels under section 303(e), the Assessment Board shall make a report to the Secretary, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate describing the steps the Assessment Board is taking to respond to each of the recommendations contained in such evaluation.”</p>
<b>NCES</b>	<p>“(C) TRIAL BASIS- The achievement levels shall be used on a trial basis until the Commissioner for Education Statistics determines, as a result of an evaluation under subsection (f), that such levels are reasonable, valid, and informative to the public.                      (D) STATUS- The Commissioner for Education Statistics and the Assessment Board shall ensure that reports using such levels on a trial basis do so in a manner that makes clear the status of such levels.                      (E) UPDATES- Such levels shall be updated as appropriate by the National Assessment Governing Board in consultation with the Commissioner for Education Statistics.                      (3) REPORTING- After determining that such levels are reasonable, valid, and informative to the public, as the result of an evaluation under subsection (f), the Commissioner for Education Statistics shall use such levels or other methods or indicators for reporting results of the National Assessment and State assessments.”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc.)</i>	
<ul style="list-style-type: none"> <li>The Governing Board by-laws indicate that COSDAM shall be responsible, “for developing the achievement levels, and for recommending to the Board the achievement levels for adoption for each grade and subject in the National Assessment.”</li> </ul>	

- The Board policy on [Developing Student Achievement Levels for NAEP](#) describes guidance for developing achievement levels.

*How Legislation is Operationalized*

- Board staff oversee contracts to develop the achievement levels; Board staff collaborate with NCES staff who attend major achievement level setting meetings to ensure consistency between data analysis procedures and achievement level setting. The Board also convenes meetings and participates in conferences by leading presentations on achievement levels to improve understanding of results across states that participate in NAEP Assessments.

<b>4. Design and Methodology [Committee on Standards, Design and Methodology]</b>	
<i>NAEP Legislation § 302(e)(1)(E)</i>	
<b>Board</b>	<p>The Assessment Board shall:</p> <p>“(E) design the methodology of the assessment to ensure that assessment items are valid and reliable, in consultation with appropriate technical experts in measurement and assessment, content and subject matter, sampling, and other technical experts who engage in large scale surveys;</p> <p>(F) consistent with section 303, measure student academic achievement in grades 4, 8, and 12 in the authorized academic subjects;</p> <p>(H) develop standards and procedures for regional and national comparisons”</p> <p>“(5) TECHNICAL – In carrying out the duties required by paragraph (1), the Assessment Board may seek technical advice, as appropriate, from the Commissioner for Education Statistics and other experts.”</p>
<b>NCES</b>	<p>The Commissioner for Education Statistics shall:</p> <p>303(b)(2) carry out the measurement and reporting described in paragraph (1), which specifies the purpose of NAEP as providing, in a timely manner, a fair and accurate measurement of student academic achievement and reporting of trends in such achievement.</p> <p>“(A) use a random sampling process which is consistent with relevant, widely accepted professional assessment standards and that produces data that are representative on a national and regional basis;</p> <p>(B/C/D) conduct a national assessment and collect and report assessment data, including achievement data trends, in a valid and reliable manner on student academic achievement...”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>• The Governing Board by-laws indicate that the Committee on Standards, Design and Methodology (COSDAM) shall be responsible for, “recommending to the Board policies related to all technical aspects of NAEP... The areas this committee shall address include but are not limited to: (1) technical issues dealing with NAEP assessments; (2) overall issues related to the design, methodology, and structure of NAEP assessments; (3) maintaining the integrity of trend lines while encouraging reasonable experimentation and trials of new approaches; (4) maximizing utility of NAEP data; (5) receiving and reviewing NAEP evaluation and validity studies; and (6) developing a process for review of the technical quality of the assessment.”</li> <li>• The <a href="#">NCES Statistical Standards</a> also include guidelines for collecting and analyzing data.</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>• The Board policy on <a href="#">sampling</a> describes guidance for sampling small and sparsely populated jurisdictions.</li> <li>• The Board policy on <a href="#">review of the NAEP assessment</a> describes guidance for reviewing the technical quality of the assessment.</li> <li>• The Board has periodically adopted resolutions on specific issues related to design and methodology, such as: <a href="#">Resolution to Encourage Prioritization of NAEP Linking Studies</a>, <a href="#">Resolution on Maintaining Trends with Transition to Digital-Based Assessments</a>, and the <a href="#">Resolution on Linking NAEP to International Assessments</a></li> </ul>	

<b>5. Review and Evaluation of NAEP [Committee on Standards, Design and Methodology]</b>	
<i>NAEP Legislation § 302(e)(1)(D)</i>	
Secretary of Education	<p>“(f) REVIEW OF NATIONAL AND STATE ASSESSMENTS-</p> <p>(1) REVIEW-</p> <p>(A) IN GENERAL- The Secretary shall provide for continuing review of any assessment authorized under this section, and student achievement levels, by one or more professional assessment evaluation organizations.</p> <p>(B) ISSUES ADDRESSED- Such continuing review shall address—</p> <p>(I) Whether any authorized assessment is properly administered, produces high quality data that are valid and reliable, is consistent with relevant widely accepted professional assessment standards, and produces data on student achievement that are not otherwise available to the State (other than data comparing participating States to each other and the Nation);</p> <p>(II) Whether student achievement levels are reasonable, valid, reliable, and informative to the public;</p> <p>(III) Whether any authorized assessment is being administered as a random sample and is reporting the trends in academic achievement in a valid and reliable manner in the subject areas being assessed;</p> <p>(IV) Whether any of the test questions are biased, as described in section 302(e)(4); and</p> <p>(V) Whether the appropriate authorized assessments are measuring, consistent with this section, reading ability and mathematical knowledge.</p> <p>(2) REPORT- The Secretary shall report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, the President, and the Nation on the findings and recommendations of such reviews.”</p>
Board	<p>(3) “USE OF FINDINGS AND RECOMMENDATIONS- The Commissioner for Education Statistics and the National Assessment Governing Board shall consider the findings and recommendations of such reviews in designing the competition to select the organization, or organizations, through which the Commissioner for Education Statistics carries out the National Assessment.”</p>
NCES	<p>(3) “USE OF FINDINGS AND RECOMMENDATIONS- The Commissioner for Education Statistics and the National Assessment Governing Board shall consider the findings and recommendations of such reviews in designing the competition to select the organization, or organizations, through which the Commissioner for Education Statistics carries out the National Assessment.”</p>
IES	No mention in legislation being serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>The Governing Board by-laws indicate that COSDAM shall be responsible for, “(5) receiving and reviewing NAEP evaluation and validity studies; and (6) developing a process for review of the technical quality of the assessment.”</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>Board staff and NCES staff provide input into statements of work for NAEP evaluations and provide background materials to contractors engaged in such evaluations. The Board is typically briefed by evaluation panels during and after NAEP evaluations.</li> </ul>	

<b>6. Assessment Development [Assessment Development Committee]</b>	
<i>NAEP Legislation § 302(e)(1)(C) and (D)</i>	
<b>Board</b>	<p>The Assessment Board shall:</p> <p>“(C) develop assessment objectives consistent with the requirements of this section and test specifications that produce an assessment that is valid and reliable, and are based on relevant widely accepted professional standards;</p> <p>(D) develop a process for review of the assessment which includes the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public”</p> <p>“(3) ALL COGNITIVE AND NONCOGNITIVE ASSESSMENT ITEMS – The Assessment Board shall have final authority on the appropriateness of all assessment items.</p> <p>(4) PROHIBITION AGAINST BIAS- The Assessment Board shall take steps to ensure that all items selected for use in the National Assessment are free from racial, cultural, gender, or regional bias and are secular, neutral, and non-ideological.”</p>
<b>NCES</b>	<p>The Commissioner of Education Statistics shall:</p> <p>“(A) use widely accepted professional testing standards, objectively measure academic achievement, knowledge, and skills, and ensure that any academic assessment authorized under this section be tests that do not evaluate or assess personal or family beliefs and attitudes or publicly disclose personally identifiable information;</p> <p>(B) only collect information that is directly related to the appraisal of academic achievement, and to the fair and accurate presentation of such information”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>• The Governing Board by-laws indicate that the Assessment Development Committee shall be responsible for: “(1) developing and implementing a broadly inclusive process for framework and specifications development; (2) developing content objectives for each NAEP subject; (3) ensuring the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public in the framework development process; (4) developing assessment and exercise specifications for each NAEP subject; (5) reviewing subject-specific background questions and all cognitive test items for appropriateness and freedom from bias, and ensuring that they are secular, neutral and non-ideological; and (6) providing for review of test frameworks and specifications.”</li> <li>• The Board policy on <a href="#">Assessment Framework Development</a> describes the process for creating and updating frameworks.</li> <li>• The Board policy on <a href="#">Item Development and Review</a> describes principles for development and review of items.</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>• The Board issues contracts to develop NAEP assessment frameworks and specifications in accordance with Board policy. Board staff work closely with NCES staff (such as by inviting NCES staff to attend all framework panel meetings and regular meetings with Board staff) to ensure that the NAEP frameworks and specifications can be operationalized during item development. NCES staff maintain “Clarification documents,” which document how frameworks and specifications are implemented, to ensure consistency over time.</li> <li>• NCES staff oversee NAEP item development contracts. Items are reviewed by many different stakeholders multiple times throughout the process, in accordance with the Board policy on item development and review. Board staff attend the Standing Committee Meetings convened under contract to NCES where content experts discuss items in depth throughout the development process.</li> <li>• The Board exercises its final authority on all items through review and approval by ADC members at multiple stages in the process.</li> </ul>	

<b>7. Contextual Questionnaires [Assessment Development &amp; Reporting and Dissemination Committees]</b>	
<i>NAEP Legislation § 302(e)(D) and (E)</i>	
<b>Board</b>	<p>“(3) ALL COGNITIVE AND NONCOGNITIVE ASSESSMENT ITEMS – The Assessment Board shall have final authority on the appropriateness of all assessment items.</p> <p>(4) PROHIBITION AGAINST BIAS- The Assessment Board shall take steps to ensure that all items selected for use in the National Assessment are free from racial, cultural, gender, or regional bias and are secular, neutral, and non-ideological.”</p>
<b>NCES</b>	<p>The Commissioner of Education Statistics shall:</p> <p>“(A) use widely accepted professional testing standards, objectively measure academic achievement, knowledge, and skills, and ensure that any academic assessment authorized under this section be tests that do not evaluate or assess personal or family beliefs and attitudes or publicly disclose personally identifiable information;</p> <p>(B) only collect information that is directly related to the appraisal of academic achievement, and to the fair and accurate presentation of such information; and</p> <p>(C) collect information on race, ethnicity, socioeconomic status, disability, limited English proficiency, and gender.”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc.)</i>	
<ul style="list-style-type: none"> <li>• The Governing Board by-laws indicate that the Assessment Development Committee shall be responsible for: “(5) reviewing subject-specific background questions and all cognitive test items for appropriateness and freedom from bias, and ensuring that they are secular, neutral and non-ideological.”</li> <li>• The Governing Board by-laws indicate that the Reporting and Dissemination Committee shall, “have primary responsibility for developing policy on background data and reviewing background questionnaires.”</li> <li>• The Board policy on <a href="#">Assessment Framework Development</a> describes guidelines for creating subject-specific contextual variables.</li> <li>• The Board policy on <a href="#">Collection and Reporting of Background Data</a> describes guidelines for creating core contextual variables.</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>• The Board created a <a href="#">Contextual Information Framework</a> to provide guidelines for several aspects of contextual variables.</li> <li>• NCES staff oversee contracts to develop contextual questions. Items are reviewed by many different stakeholders throughout the process. Board staff attend the Questionnaire Standing Committee meetings convened under contract to NCES where survey experts discuss items in depth throughout the development process. The Standing Committees in each content area (described under Assessment Development) also review the subject-specific contextual variables.</li> <li>• The Board exercises its final authority over all survey questions through review and approval by the Reporting and Dissemination Committee (for core questions common to all assessments) and the Assessment Development Committee (for subject-specific questions) at multiple stages in the process.</li> </ul>	

<b>8. Reporting and Use of NAEP [Reporting and Dissemination Committee]</b>	
<i>NAEP Legislation §302(e)(1)(G)(I)(J)</i>	
<b>Board</b>	<p>The Assessment Board shall:</p> <p>“(G) develop guidelines for reporting and disseminating results;”</p> <p>“(I) take appropriate actions needed to improve the form, content, use, and reporting of results of any assessment authorized by section 303 consistent with the provisions of this section and section 303; and</p> <p>(J) plan and execute the initial public release of National Assessment of Educational Progress reports.</p> <p>The National Assessment of Educational Progress data shall not be released prior to the release of the reports described in subparagraph (J).”</p>
<b>NCES</b>	<p>The Commissioner for Education Statistics shall:</p> <p>303(b)(2) carry out the measurement and reporting described in paragraph (1), which specifies the purpose of NAEP as providing, in a timely manner, a fair and accurate measurement of student academic achievement and reporting of trends in such achievement.</p> <p>“(G) include information on special groups, including, whenever feasible, information collected, cross tabulated, compared, and reported by race, ethnicity, socioeconomic status, gender, disability and limited English proficiency; and</p> <p>(H) ensure that achievement data are made available on a timely basis following official reporting, in a manner that facilitates further analysis and that includes trend lines.”</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>• The Governing Board by-laws indicate that the Executive Committee’s responsibilities shall include: “identifying steps by which the Board can carry out its responsibility to improve the ‘form and use’ of NAEP”.</li> <li>• The Governing Board by-laws indicate that the Reporting and Dissemination Committee shall: “(1) determine the form and format for NAEP reports; (2) design policies and protocols for the fair, timely and accurate reporting and dissemination of NAEP data; (3) monitor implementation of Board policies for reporting of data; (4) take steps to maximize utility of NAEP data”... “(6) plan and execute the initial public release of NAEP reports; and (7) develop policy for, plan, and oversee public communication and outreach activities.”</li> <li>• The Board policy on <a href="#">Reporting, Release, and Dissemination of NAEP Results</a> provides guidelines for reporting and dissemination of NAEP results.</li> <li>• The Board statement on the <a href="#">Intended Meaning of NAEP Results</a> provides information on the purpose of NAEP.</li> <li>• The Board policy on <a href="#">Developing Student Achievement Levels for NAEP</a> indicates that, “An interpretative guide shall accompany NAEP reports, including specific examples of appropriate and inappropriate interpretations and uses of the results.”</li> <li>• The <a href="#">NCES Statistical Standards</a> provide comprehensive, specific guidelines for the collection, processing, analysis, reporting, and presenting of data by NCES. These Standards are enforced by the NCES Chief Statistician and her team and include very detailed prescriptions for all statistical processes from setting adequate response rates for reporting to what text must accompany graphic presentations. OMB Statistical Policy Directive 1 covers the fundamental responsibilities of federal statistical agencies and refers to the need for autonomy from the other administrative, regulatory, law enforcement, or policy-making activities within their respective Departments. It is the responsibility of Federal statistical agencies and recognized statistical units to produce and disseminate relevant and timely information; conduct credible, accurate, and objective statistical activities; and protect the trust of information providers by ensuring confidentiality and exclusive statistical use of their responses.</li> <li>• OMB Statistical Policy Directive 4 specifies the responsibilities of, and provides guidance for, federal statistical agencies when releasing and disseminating statistical products. The directive addresses the equitable, policy-neutral, and timely release and dissemination of</li> </ul>	

statistical information to the public and reinforces the integrity and transparency of the processes used to produce and release the Nation's statistical products. The timing of the release of statistical products, including statistical press releases shall be the sole responsibility of the statistical agency or unit that is directly responsible for the content, quality, and dissemination of the data. Agencies should minimize the interval between the period to which the data refer and the date when the product is released to the public.

- NCES requirement for 6-month reporting. NCES measures the time from the end of data collection to initial release to indicate how efficiently the Department analyzes and reports NAEP results. This means NAEP reports on national and state-level 4<sup>th</sup> and 8<sup>th</sup> grade reading and mathematics assessments are ready for release by the Governing Board within 6 months of the end of data collection.

*How Legislation is Operationalized*

- The Reporting and Dissemination Committee is provided embargoed access to the Nation's Report Card website 4-6 weeks before an anticipated release date, which typically occurs at the end of October for 4<sup>th</sup> and 8<sup>th</sup> grade reading and math. The R&D members review the report card website(s) for clarity, adherence to Board policy, and ease of comprehension (along with any light editing which emerges whenever an additional set of eyes alights upon text). R&D members submit feedback on the report card site(s) to NCES within approximately one week of receiving access to the draft website(s). NCES responds with how they will incorporate or reject the stated feedback. R&D members decide if the NCES' response is acceptable to them, and, if so, deem the report card approved and ready for release. Since the 2017 release, the Board has hosted the initial release event at venues that must be secured prior to four weeks before release event. So, the R&D committee anticipates an intended release event date for planning purposes, and the approval is the final step in confirming that date. NCES releases The Nation's Report Card products at 12:01AM on the release date.

<b>9. Release of Data and Items [Reporting and Dissemination Committee]</b>	
<i>NAEP Legislation § 302(e)(1)(H)</i>	
<b>Board</b>	No explicit responsibility
<b>NCES</b>	<p>The Commissioner for Education Statistics shall:            “(H) ensure that achievement data are made available on a timely basis following official reporting, in a manner that facilitates further analysis and that includes trend lines.”            “(E) COGNITIVE QUESTIONS-</p> <p style="padding-left: 20px;">(I) IN GENERAL – The Commissioner for Educational Statistics may decline to make available through public means, such as posting on the Internet, distribution to the media, distribution through public agencies, or in response to a request under section 552 of title 5, United States Code, for a period, not to exceed 10 years after initial use, cognitive questions that the Commissioner for Education Statistics intends to reuse in the future.</p> <p style="padding-left: 20px;">(II) EXTENSION – Not withstanding clause (i), the Commissioner for Education Statistics may decline to make cognitive questions available as described in clause (i) for a period longer than 10 years if the Commissioner for Education Statistics determines that such additional period is necessary to protect the security and integrity of long-term trend data.”</p> <p>303(c)(3)(A) The Commissioner for Education shall ensure that all personally identifiable information about students, their academic achievement, and their families, and that information with response to individual schools, remains confidential.</p>
<b>IES</b>	No mention in legislation besides Director serving as an ex-officio Board member
<i>Other Documents (Governing Board by-laws, policies, NCES standards, etc)</i>	
<ul style="list-style-type: none"> <li>The Board policy on <a href="#">Reporting, Release, and Dissemination of NAEP Results</a> indicates that one block of assessment items should be released for each subject and grade being reported, except in special circumstances approved by the Board.</li> </ul>	
<i>How Legislation is Operationalized</i>	
<ul style="list-style-type: none"> <li>NCES consults with Board staff when making decisions about which items to release.</li> </ul>	