



Adopted: March 3, 2007

National Assessment Governing Board

NAGB Below-State NAEP

Policy Statement

Introduction

The National Assessment Governing Board has a long-standing policy that “States, local school districts, and schools should be permitted to use National Assessment of Educational Progress tests, at their discretion and cost, according to NAEP requirements, and subject to federal oversight, to obtain district and school (but not individual student) results.”

This long-standing Board policy is based on three principles: (1) the National Assessment is developed with public funds and, thus, should be available to the public for appropriate uses; (2) such uses of the National Assessment should be subject to requirements that safeguard its quality, credibility, and integrity; and (3) such uses of the National Assessment should be considered a service to the public and, as such, operated apart from the official NAEP program and reporting mechanisms. Thus, it was intended that the results of “below-state use of NAEP” would be the “property” of the agency initiating the assessment and would not be subject to reporting by the Federal government.

From 1988 to 1994, below-state use of NAEP was prohibited under the NAEP legislation. However, the reauthorization of NAEP in 1994 under P.L. 103-382—the Improving America’s Schools Act of 1994—removed the language prohibiting the use of NAEP results below the state level. The current NAEP legislation (P.L. 107-110, as amended by P.L. 107-279) continues to permit use of NAEP below the state level. However, it also provides some limitations. These limitations include: (1) that the Federal government shall not use NAEP assessment items or data “... to rank, compare, or otherwise evaluate individual students or teachers, or to provide rewards or sanctions for individual students, teachers, schools or local educational agencies...” and (2) a provision that requires the Commissioner of Education Statistics to “...ensure that all personally

identifiable information about students, their academic achievement, and their families, and that information with respect to individual schools, remains confidential, in accordance with section 552a of title 5, United States Code.”

As a part of the FY 2002 budget, Congress appropriated funds to support a study to determine the feasibility of conducting urban district assessments as a regular component of the National Assessment, in addition to the national, regional, and state assessments specifically authorized under the NAEP legislation. Trial Urban District Assessments (TUDA) were conducted beginning in 2002. The advent of the TUDA feasibility study has surfaced the need for policies that clarify the respective purposes, limitations, requirements, and benefits of “below-state use of NAEP” and TUDA.

Below-State NAEP is conducted as a service paid for by the user who “purchases” the assessment results. There is no public reporting of below-state data by the Federal government.

The policy statements that follow address below-state uses of NAEP and are intended to supersede previous policy on this topic.

It is the policy of the National Assessment Governing Board (NAGB) to conduct a comprehensive, inclusive, and deliberative process to determine the content and format of all subject area assessments under the National Assessment of Educational Progress (NAEP). Objectives developed and adopted by the Board as a result of this process shall be used to produce NAEP assessments that are valid and reliable, and that are based on widely accepted professional standards. The process shall include the active participation of educators, parents, and members of the general public. The primary result of this process shall be an assessment framework to guide NAEP development at grades 4, 8, and 12.

The Governing Board, through its Assessment Development Committee, shall carefully monitor the framework development process to ensure that all Board policies are followed; that the process is comprehensive, inclusive, and deliberative; and that the final Board-adopted framework, specifications, and background variables documents are congruent with the Guiding Principles, Policies and Procedures that follow.

General Policy

The National Assessment Governing Board affirms that:

States, school districts, and schools should be permitted to obtain below-state results through participation in the National Assessment of Educational Progress, provided that participation in Below-State NAEP is at their discretion and cost, all NAEP design and reporting requirements are met, and procedures are subject to federal oversight, as appropriate.

Purpose

The purpose of this policy statement is to facilitate the use of NAEP tests and test questions to produce below-state results for states, school districts, and schools that desire such results and agree to the policies governing the production of the assessment results.

Definition

For purposes of this policy, the term “district” includes:

- a state educational agency;
- a local educational agency;
- a consortium of local educational agencies; or
- a group of schools that have a common purpose or mission, such as a group of private or parochial schools, charter schools, or other public schools, without regard to geographic proximity.

Districts Selected for the NAEP Sample

A district participating in the national or state NAEP sample in a particular year may submit an application to NCES to augment, at the district’s cost, the state or national NAEP sample, in one or more of the subjects and/or grades assessed by NAEP in that year, in order to obtain below-state results.

Application for participation in Below-State NAEP shall be submitted by the district, regardless of the source for funding the cost of such participation.

Districts not Selected for the NAEP Sample

A district that is not included in a national or state NAEP sample in a particular year may submit an application to NCES to obtain, at the district’s cost, below-state results through participation in one or more of the subjects and/or grades assessed by NAEP in that year.

Application for participation in Below-State NAEP shall be submitted by the district, regardless of the source for funding the cost of such participation.

Test Administration

Districts participating in Below-State NAEP shall be subject to identical test administration procedures as districts that were drawn for the state and national samples. The test administration shall be conducted by NAEP contractors as designated by NCES according to the same procedures, policies, and standards otherwise applicable to

participation in NAEP. This may include participation in field tests that are conducted as a component of a NAEP test administration. Districts submitting applications for below-state use of NAEP shall include with the application a signed assurance that the district will adhere to all standards and procedures set by NCES.

Data Analysis and Reporting

NCES shall provide the results of Below-State NAEP to participating districts in forms and metrics that can be compared with publicly reported NAEP results. The participating district will be the sole recipient of the results and will determine when and how the results will be released. The Federal government shall not release the results to the public. The application submitted by the district shall describe the data analyses and reporting formats that the district desires. Districts participating in the Below-State NAEP program shall not issue data reports prior to official NAEP releases.

Payment of Costs

Districts wishing to participate in Below-State NAEP shall make payment according to agreed-upon arrangements with NCES, to cover all additional costs determined by NCES to arise from such participation, based on the district's requirements and including such items as sample augmentation, data collection, analysis, and reporting.

Notification

NCES shall develop procedures, materials and schedules for notifying school districts of the opportunity to submit applications to obtain Below-State NAEP results and set reasonable timelines for districts to prepare and submit such applications.

Use of Data

NCES, at its discretion, may include the data collected through Below-State NAEP samples to improve the accuracy of group estimates that are otherwise reported by NAEP.

Use of Publicly Released NAEP Test Items

Districts may use publicly released NAEP test items, at their discretion and cost, to develop assessments of their own design. No application to NCES is required for such use. NCES shall not authorize such uses of NAEP test items to produce NAEP-

comparable scale scores and achievement levels and, accordingly, shall provide appropriate cautions and guidance to requesting districts and the public.

Use of Secure NAEP Test Items

The use of secure NAEP test items for district-developed assessments is prohibited.

Principles and Procedures

Principle 1

Districts that wish to obtain below-state results under an assessment conducted by NAEP in a particular year, shall submit an application to NCES consistent with these guidelines and providing such information and assurances, as NCES shall require.

Principle 2

NCES shall be responsible for the review and approval of applications to conduct Below-State NAEP assessments.

- a. NCES shall provide interested districts with written guidance specifying the procedures, timelines, and content for applications for below-state use of NAEP.
- b. Within ten (10) business days of receipt by NCES of an application for below-state use of NAEP, the Governing Board will receive notification of such receipt from the Commissioner of NCES.
- c. The disposition of applications shall be timely and shall not compromise or delay the preparation, conduct, or reporting of the national, state, or urban district NAEP.
- d. Within five (5) business days of making a decision on the disposition of any application for below-state use of NAEP, the Commissioner of NCES shall send notification of such decision to the Governing Board.

Principle 3

Districts whose applications to receive below-state results have been approved shall be subject to all principles, standards, and procedures for below-state assessments set forth by the Governing Board and NCES. They will face no further requirements for eligibility to participate.

Principle 4

NCES shall not permit the use of secure NAEP test items by districts that wish to design their own assessments using NAEP test items. Districts may only use publicly

released NAEP test items for the purpose of designing their own tests.

Principle 5

NCES shall be responsible for developing implementation guidelines for below-state use of NAEP. The implementation guidelines may address matters such as:

- Requirements for applications
- Assurances that districts must make
- Identification of desired subgroup inferences
- Provision of reports by NAEP contractors consistent with NCES technical standards
- Timelines for the provision of data to the participating district
- Financial arrangements with NAEP contractors

Principle 6

NCES shall be responsible for ensuring that the integrity and timeliness of the regularly scheduled operations of the National Assessment of Educational Progress are not negatively affected by the implementation of Below-State NAEP.