

From: <JAScott@AkinGump.com>
To: "Sandy Kress (CN=Sandy Kress/OU=OPD/O=EOP [OPD])"
Cc: "Tiffany L. Barfield (CN=Tiffany L. Barfield/OU=OPD/O=EOP [OPD])"
Subject: : FW: NAEP amendments and change to the State alternative testing s pec
Date: Monday, March 26, 2001 2:46 PM

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:"Scott, Jo Ann" <JAScott@AkinGump.com> ("Scott, Jo Ann" <JAScott@AkinGump.com> [UNKNOWN])
CREATION DATE/TIME:26-MAR-2001 14:46:04.00
SUBJECT:: FW: NAEP amendments and change to the State alternative testing s pec
TO:Sandy Kress (CN=Sandy Kress/OU=OPD/O=EOP [OPD])
READ:UNKNOWN
CC:Tiffany L. Barfield (CN=Tiffany L. Barfield/OU=OPD/O=EOP [OPD])
READ:UNKNOWN
End Original ARMS Header

-----Original Message-----

From: Cook, Sandra [mailto:Sandra_Cook@ed.gov]
Sent: Monday, March 26, 2001 12:55 PM
To: 'Andy Hartman'; 'Mark Powden'; 'Sherry Kaiman'; 'Danica Petroschius'
Cc: 'Sandy Kress'; 'Sarah Youssef'; 'Townsend McNitt'; Riddle, Paul;
Boothby, Clayton; Hansen, Randy
Subject: NAEP amendments and change to the State alternative testing spec
Importance: High

Per the discussion on Friday, attached is our draft on legislative changes to NAEP needed in connection with the Title I assessment provisions.

<<b- NAEP Testing Amendments.doc>>

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not

the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

- b- NAEP Testing Amendments.doc

ATT CREATION TIME/DATE: 0 00:00:00.00

File attachment <P_ZYK91004_OPD.TXT_1>

**The following document is attachment
P_ZYK91004_OPD.TXT_1**

Amendments to the National Education Statistics Act (NAEP) (3/14/01):

SEC. ---. Section 411 of the National Education Statistics Act of 1994 is amended—

(1) by amending subsection (b)(2) to read as follows:

"(2) STATE ASSESSMENTS.—(A) The Commissioner, in carrying out the National Assessment—

"(i) may conduct State assessments of student achievement in grades 4, 8, and 12; and

"(ii) shall conduct annual State assessments of student achievement in reading and mathematics in grades 4 and 8 in order for States to carry out section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

"(B)(i) Except as provided in clause (ii), a participating State shall review and give permission for the release of results from any test of its students administered as a part of a State assessment prior to the release of the data. Refusal by a State to release its data shall not restrict the release of data from other States that have approved the release of that data.

"(ii) A State participating in the annual State assessments of its students in reading and mathematics in grades 4 and 8 shall be deemed to have given its permission to release its data if it has an approved plan under section 1111 of the Elementary and Secondary Education Act of 1965."; and

(2) by amending subsection (d) to read as follows:

"(d) PARTICIPATION. —(1) NATIONAL AND REGIONAL PARTICIPATION.—Participation in the national and regional assessments by State and local educational agencies shall be voluntary.

"(2) STATE PARTICIPATION.—Participation in assessments made on a State basis shall be voluntary.

###