

June 13, 2025

Matthew Soldner
Acting Director
Institute of Education Sciences
Department of Education
400 Maryland Avenue SW
Washington, DC 20202-7240

RE: Information Collection Request; National Assessment of Educational Progress (NAEP)
2026, OMB Control Number 1850-0928

Dear Acting Director Soldner:

The undersigned organizations write today to offer comments on the proposed Information Collection Request (ICR) for the 2026 National Assessment of Educational Progress (NAEP). Our organizations are committed to data and evidence use that improves transparency as well as education and employment outcomes for individuals and communities across the country. Through a variety of approaches, we seek to promote data policies and practices that result in better impact, support, and services for individuals and communities striving to navigate pathways from education to the workforce. We have a particular focus on policies and practices that incentivize and improve the use of statewide longitudinal data systems (SLDSs)—systems that incorporate early childhood, K–12, postsecondary, and workforce data—to accomplish these goals.

NAEP—The Nation’s Report Card—is the “largest nationally representative and continuing assessment of what America’s students know and can do in various subject areas,” specifically in reading, math, and several other subjects. NAEP results enable short- and long-term comparisons of student educational progress among states and jurisdictions and various demographic groups. As our only common measure of student achievement, NAEP offers a window into the state of K–12 education and helps inform decisions about how to improve it.¹ It is critical that NAEP continue to be administered using best practices, and with fidelity and security going forward. But, we have serious concerns that this is possible. The self-inflicted reductions in force that the Department of Education (ED) implemented have left the National Center for Education Statistics (NCES) without a statistical official or staff with the expertise and skills necessary to implement the assessment confidentially and securely.

NAEP is a statistical survey; its results derive from a sample of students. It is offered at a representative sample of public and private schools that are identified using data from the [Common Core of Data](#) (CCD) and the [Private School Universe Survey](#). To successfully administer a statistical assessment such as NAEP requires more than just logistical capacity, it demands a workforce with deep statistical expertise, clear

¹ National Center for Education Statistics, *An Overview of NAEP*, available at https://nces.ed.gov/nationsreportcard/subject/about/pdf/naep_overview_brochure_2021.pdf.

legal obligations, and specialized training. Under the [Confidential Information Protection and Statistical Efficiency Act](#) (CIPSEA), federal statistical activities such as NAEP must be overseen by personnel who possess the requisite expertise and technical skills and are trained to uphold strict data confidentiality and access standards. Subtitle A of CIPSEA, which governs confidentiality and statistical uses of information, states that its purposes are:

- *To ensure that information supplied by individuals or organizations to an agency for statistical purposes under a pledge of confidentiality is used exclusively for statistical purposes;*
- *To ensure that individuals or organizations who supply information under a pledge of confidentiality to agencies for statistical purposes will neither have that information disclosed in identifiable form to anyone not authorized by this title nor have that information used for any purpose other than a statistical purpose; and*
- *To safeguard the confidentiality of individually identifiable information acquired under a pledge of confidentiality for statistical purposes by controlling access to, and uses made of, such information.*²

To achieve these purposes of protecting confidential information provided to the federal government, CIPSEA sets clear legal requirements for statistical agencies. At the top of the list of requirements is that agencies, including ED, appoint a statistical official. These sworn officials “advise on statistical policy, techniques, and procedures” and they appoint others within an agency to work with and collect statistical data.³ CIPSEA’s requirements also include creating formal policies and procedures for the production and dissemination of statistical data as well as for ensuring the confidentiality and exclusive statistical use of that data; ensuring data activities are accurate, objective, and useful; training all staff, contractors, and agents on their legal responsibilities; securing systems to protect sensitive information; tracking who accesses data and why; establishing penalties for unauthorized disclosures; and keeping clear records to show these protections are being followed.⁴

In its [May 15, 2025 Federal Register notice](#) regarding the 2026 NAEP collection, the Department and NCES indicated that they cannot make the confidentiality assurances CIPSEA requires:

As of April 2025, NCES's assurances of confidentiality protections for NAEP 2026 have changed due to recent staffing changes at the Department of Education. NCES has removed the Foundations of Evidence-Based Policymaking Act of 2018, Title III, Part B, Confidential Information Protection (“CIPSEA”) as a confidentiality assurance. However, confidentiality assurances under the Education Sciences Reform Act of 2002 (ESRA) remain in effect.

Although ESRA’s penalties for unauthorized disclosure are very similar to CIPSEA’s, the fundamental concern this language raises is that NCES lacks the statistical expertise necessary to make CIPSEA’s required assurances. NCES lacks a presidentially-appointed Commissioner who would be the agency’s

² The [Confidential Information Protection and Statistical Efficiency Act](#) of 2002 (CIPSEA), Title V of the E-Government Act of 2002 (Pub. L. No. 107-347).

³ *Ibid.*

⁴ *Ibid.*

statistical official. The Center is also so short staffed that it lacks the requisite statistical expertise to administer a sample survey of NAEP's size.

The experts who previously oversaw NAEP—including psychometricians, data analysts, and other experienced staff—were responsible, along with the Commissioner, for meeting these requirements and ensuring the assessment was administered in a statistically appropriate and confidentiality protecting manner. Their removal raises serious concerns about how NCES will continue administering NAEP in 2026 and beyond in accordance with the laws, regulations, standards, and best practices that protect the integrity, security, and credibility of the NAEP data and results.

NAEP is a critically important data source for educators, policy leaders, and the public and must be maintained. For NAEP to be administered effectively in 2026, ED and NCES must hire the necessary staff. NAEP isn't an end of unit summative assessment, it cannot simply be passed out and collected at the end of the period. Questions have to be developed, tested, refined, and selected properly. Representative schools have to be identified (which means the Private School Universe Survey must go out in the field as soon as possible). Data must be collected and analyzed so results can be published in a timely fashion. But all of this requires capacity and expertise NCES does not currently possess.

Secretary McMahon, on April 17, [stated](#) that "The 2026 NAEP assessments in reading and math are on track for administration in January 2026" because she is "committed to providing states with the tools and best practices to advance the educational achievement of our nation's students." For this commitment to be carried out, NCES must be given authority to hire the statistical expertise and capacity necessary to implement NAEP in an appropriate, secure, and trustworthy manner.

Thank you for carefully considering our comments. We stand ready to address any questions or provide further information. You may contact DQC's Vice President, Federal Policy, Kate Tromble at kate@dataqualitycampaign.org to arrange a conversation.

Sincerely,

Advance CTE

All4Ed

Alliance for Learning Innovation

Baltimore's Promise

Building Our Future

Commit Partnership

Cradle 2 Career MN

Cradle to Career Partnership, anchored at United Way of Tucson and Southern Arizona

Data Quality Campaign

E3 Alliance

Education Partnerships Coalition of Minnesota

ImpactTulsa

Mission Economic Development Agency
National Center for Learning Disabilities
Oakland Promise
Results for America
RiseUp Partnership
Rocky Mountain Partnership Cradle to Career
StriveTogether
Summit Education Initiative
The Children's Agenda
The Education Trust
United Way of Coastal and Western Connecticut
United Way of Salt Lake
Yakima Valley Partners for Education