

May 21, 2001

Honorable Rod Paige
U. S. Department of Education
Federal Building #6
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Paige:

I am in receipt of your letter dated May 11, 2001, appointing me as a member of the National Assessment Governing Board for a term ending September 30, 2004.

While I appreciate your letter, my appointment by Secretary Richard Riley became official for the term. I can only interpret your letter as a confirmation of Secretary Riley's appointment for the term stated.

It is critical that the National Assessment Governing Board maintain its independence and bipartisanship in setting the policy for the National Assessment of Educational Progress (NAEP). Your attempted appointment of me to the board subsequent to my appointment by Secretary Riley on January 19, 2001, and my being sworn in as a member of the board on March 2, 2001, sets a dangerous precedent that a board member serves at the will and pleasure of the Secretary, rather than for a term of office as provided for in P.L. 103-382.

It is imperative that a precedent not be set which would give the appearance that members serve at such will and pleasure with their appointment subject to rescission. Members must be assured that their work and actions on the board reflect their independent judgment and experience. I am confident that you understand that the law is designed to ensure an independent board. I will discharge my responsibilities with energy and devotion to the purposes of the National Assessment Governing Board and its important work with the National Assessment of Educational Progress.

Very truly yours,

Ronnie Musgrove

cc: Mark Musick, Chairman, NAGB,
Roy Truby, Executive Director, NAGB

bcc: NAGB members