



**Implementing the Locally-Selected,
Nationally-Recognized High School Assessment
Provision of the Every Student Succeeds Act:
Key Questions and Considerations**



THE COUNCIL OF CHIEF STATE SCHOOL OFFICERS

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Implementing the Locally-Selected, Nationally-Recognized High School Assessment Provision of the Every Student Succeeds Act: Key Questions and Considerations

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INTRODUCTION

The Every Student Succeeds Act (ESSA, 2015) provides new flexibility for states with respect to high school assessments. Notably, section 1111(b)(2)(H) of ESSA allows a local education agency (LEA) to administer a locally selected assessment in lieu of the state test in high school if the LEA selects a nationally-recognized assessment that has been approved for use by the state.

This provision raises a number of questions for state education leaders: Which nationally-recognized high school assessments can be considered? What technical criteria must a state use to evaluate the proposed assessment? How should states evaluate LEA requests to use an assessment? What are the implications for state accountability systems? This brief has been prepared to address key questions related to the requirements and implications. State leaders can use the guidance herein to develop a comprehensive high school assessment plan that anticipates the challenges and opportunities associated with locally selected assessments.

Which nationally-recognized high school assessments can be considered?

In ESSA regulations, a nationally recognized assessment is defined as, “an assessment ... that is administered in multiple States and is recognized by institutions of higher education in those or other States for the purposes of entrance or placement into courses in postsecondary education or training programs.”

This language broadly applies to the ACT and SAT, which are widely accepted as college entrance exams. Other assessments which are commonly used to inform college placement decisions may also qualify as being nationally-recognized, such as Advanced Placement or International Baccalaureate exams, ACCUPLACER, PARCC, Smarter Balanced’s high school assessments, and the ASVAB (used for entrance and placement by the U.S. military). The regulations also reference the possibility of including assessments “honored by career and technical training programs,” although no examples are cited.¹

The ESSA regulations further specify that an LEA is permitted to use a locally

¹ We periodically refer to the final regulations relating to assessment released by the U.S. Department of Education under Title I, Part A on December 8, 2016, retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2016-12-08/pdf/2016-29128.pdf>. While Congress and President Trump have voided ESSA regulations related to accountability, they left in place ESSA regulations related to Title I assessments. However, at this time, it is unclear how USED will interpret the assessment regulations. USED could choose to re-regulate or otherwise advance different interpretations of the relevant statutory provisions at a later date. We include them here to provide the best available information to guide understanding and implementation of the law.

selected assessment in reading/English language arts, mathematics, or science. It is worth emphasizing that there is nothing prohibiting an LEA from implementing any combination of assessments in these three content areas (i.e., use ACT for one content area, SAT for another, and the state test for the third). The regulations do require that every student in every high school under the LEA's jurisdiction must take the locally selected test (except those exempted from the regular assessment, such as students with severe cognitive disabilities), meaning that individual high schools within the LEA cannot choose their own assessments.

What technical criteria must a state use to evaluate the proposed assessment?

ESSA specifies that certain technical criteria must be satisfied to receive approval for use by the state. These requirements should be considered minimum standards, meaning the state may establish additional requirements. ESSA requires that the assessment chosen by the state

- Is aligned to and addresses the breadth and depth of the state's content standards
- Is equivalent to the statewide assessments in its content coverage, difficulty, and quality
- Provides valid and reliable data on student achievement for all students and subgroups as compared to the statewide assessments²
- Meets the criteria for technical quality that all statewide assessments must meet (e.g., peer reviewed)
- Provides unbiased, rational, and consistent differentiation among schools within the state's accountability system

Additionally, the ESSA statute and relevant regulations stipulate that any approved assessment would be subject to peer review. While Congress and President Trump have voided ESSA regulations related to accountability, they left in place ESSA regulations related to Title I assessments.

The requirement for peer review signals that a locally selected test will be reviewed against the same set of technical and administrative criteria used to evaluate the state test. For states with different assessment systems across LEAs, there will be a need to reexamine processes for reporting data. For example, if the state uses computer-based testing and an LEA uses paper-based testing, neither program in itself has a threat to comparable

² The December 2016 regulations indicate that comparability between the locally selected test and the state test is expected at each academic achievement level.

interpretation of results (i.e., ‘mode effect’), but the two programs together need to demonstrate there is not a mode effect.

The state should establish additional criteria to ensure that data from locally selected assessments will support valid assessment interpretations and required accountability uses.

How should states evaluate LEA requests to use an assessment?

ESSA does not specify a process for how states should evaluate LEA requests, and instead emphasizes that the process is left up to the state, which can choose to disapprove or revoke approval for good cause.

The breadth and scope of the evaluation process will likely be substantial, given that the state education agency (SEA) must ensure the locally selected assessment meets the same standard of quality as the state test. The process should be ongoing, as opposed to a one-time event, and will necessarily involve review of a substantial body of evidence by technical experts.

The process must also take into consideration the likelihood that multiple LEAs may wish to use the same assessment. In these circumstances, the SEA should clarify which evidence can satisfy requirements for multiple LEAs with a single or coordinated submission, and which evidence must be LEA-specific, such as criteria related to administration procedures. States should also consider establishing an associated appeals process.

When does an evaluation process need to be in place?

While there is no specific date for evaluation processes to be in place, it would be reasonable for states to have their evaluation process in place prior to an LEA request. ESSA does not specify how frequently a state should evaluate requests from LEAs, but it would be reasonable to establish a process to allow an LEA to choose annually. ESSA does not limit this provision, so states should plan on having a process in place until the law is changed.

What guidance should SEAs provide in the near-term to support LEAs interested in selecting an assessment?

The SEA should provide guidance to help LEAs determine if they want to administer an assessment other than the state test. This guidance may include an overview of the technical and administrative requirements in the evaluation process, and the state’s role in supporting the evaluation (e.g., collecting and submitting the evidence). Additionally, the guidance should

specify the responsibilities implementing the assessment upon approval that would shift from the SEA to the LEA. For example, the LEA may need to support test development, contract oversight, administration, scoring procedures, assessment training, score report distribution, or handling irregularities. Furthermore, an SEA may require the LEA to pay for the test option. Any guidance the SEA can provide in advance to help the LEA understand the nature and scope of their responsibilities will support an informed decision.

What are the implications of the local option for state accountability and/or other state policies (e.g., diploma eligibility)?

Adding a locally selected test to the state accountability system in lieu of the state test will raise some non-trivial issues for the state's accountability system. While a comparable performance level (e.g., Proficient) can presumably be incorporated into the accountability system with little disruption, school accountability systems often use assessment data for multiple purposes and/or based on different metrics (e.g., scale scores), which will pose challenges. Examples include

- Producing measures of academic growth
- Calculating achievement gaps
- Producing longitudinal measures (e.g., improvement, multi-year averaging)
- Establishing equitable progress targets

Beyond issues related to system design and specifications, introducing new assessments may pose operational challenges. For example, new data collection and verification procedures, and/or new solutions for reporting may be necessary.

Additionally, the state may use high school assessment data for other accountability purposes, for example, using scores as a factor in course grades; as a criterion for diploma eligibility; or as a component in an educator effectiveness system. In these cases, the SEA will want to fully explore the impact of including data from one or more locally selected assessments on policy and implementation.

What is the best way to establish an SEA implementation plan?

SEA leaders should consider all of their current responsibilities related to the state assessment system to develop an implementation plan to manage a locally selected assessment program. This plan should address each critical

task, the quality standards for that task, and the coordinating agency. The plan should address the following questions:

- How will the locally selected assessment be procured?
- Who will manage the assessment contract?
- Who pays for the assessment and what are the implications when LEAs opt-in or opt-out?
- What data sharing agreements and procedures need to be in place in order for the SEA and LEAs to obtain data necessary for reporting?
- How will these procedures ensure data are provided on time, in a useful format, and error free?
- Who will create and implement test administration, test security, quality control, and quality assurance policies and procedures (e.g., completing training procedures, conducting data forensics analyses)?
- How will the LEA be aware of and comply with all applicable state assessment requirements to ensure fairness, security, and comparability (e.g., accommodations, out-of-grade testing)?

The state should establish suitable implementation and technical criteria and include them in the evaluation process.

In addition, a state implementation plan should address implications for maintaining the quality of the state’s assessment program when a self-selected portion of the state’s high school students are not included. For example, the state should consider the impact on equating and scaling of potentially non-representative and less-comparable samples over years. The state implementation plan should also address the possible fluctuation of LEA participation on the state assessment over time, for example, elements of state testing contracts where costs are driven by per-pupil participation.

Which ongoing assessment monitoring and evaluation procedures should be considered?

When one (or more) LEA is approved to use their selected assessment, the SEA will need to put in place appropriate and ongoing monitoring and evaluation to ensure the program operates in good-standing each year. For example, it may be necessary to certify that administration, scoring, and/or reporting are implemented in accordance with established standards. Scale/achievement level correspondences should be periodically monitored for drift. Additionally, changes to the program (e.g., modifying the test

blueprint, transitioning to a new computer-based platform, establishing new performance standards) may necessitate a technical review to ensure the assessment program will remain in good standing with the state. A plan for monitoring and evaluation should specify the roles and responsibilities of the SEA, the LEA, contractors, and/or other entities such as the state’s Technical Advisory Committee (TAC). As part of this plan, the SEA should require that an LEA or group of LEAs establish the necessary support structures to fulfill their obligations (e.g., a program-specific TAC, staff to support quality control).

Should states develop a coordinated response?

Given the range and complexity of the issues that must be addressed in each state, states should consider working together on at least some common issues, such as developing assessment evaluation criteria or procedures for review. Working collaboratively across states may also help address the potential concern about differing criteria or decision-making policies from state to state when most states share common standards (e.g., why the same assessment program is approved in one state but not in another; or why states establish different cut-scores for “college-readiness” on the same exam).

What is most important to share with policymakers who may be considering this option?

The need for substantial planning prior to developing policy is essential. A comprehensive plan should address the following:

- The process and responsibilities for developing criteria, collecting evidence, and evaluating proposed assessments;
- The roles and responsibilities of the SEA and LEA to monitor and manage any approved locally selected assessment (e.g., impact to budget and personnel);
- The plan for coordinating among LEAs and potentially SEAs to develop and evaluate criteria;
- The potential impact on the state accountability system, especially for comparability of academic achievement and growth;
- The potential impact on existing state policies, such as those related to diploma eligibility; and
- A plan for ongoing monitoring and evaluation of the locally selected assessment option that empowers SEAs to address potential problems, which may involve altering or suspending approval.

The SEA should consult with stakeholders including state legislators, the governor, advisory groups, etc., to formulate the SEA's policies regarding locally selected high school assessments.

Once a plan has been developed and a policy in support of that plan is in place, it is important to **disseminate guidance well in advance of implementation** to provide adequate time for LEAs to develop high-quality responses that maximize the chances of success.

It is expected that the time required for planning, notification, and operation will be considerable. Therefore, policymakers are advised to work with leaders from the SEA and LEAs to ensure the policy is consistent with a realistic timeline for implementation.



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