

March Board of Regents  
ESSA Retreat Briefing Summary  
Group 3 Summary Fact Sheet

**ESSA Topic:** Innovative Assessment Demonstration Authority

**Relevant Requirements of ESSA law:**

**ESSA Sec. 1204. Innovative assessment and accountability demonstration authority.** “The Secretary may provide a State educational agency, or consortium of State educational agencies, with the authority to establish an innovative assessment system. A State may, during the State’s approved demonstration, include results from the innovative assessment systems in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, results from the assessment system.

The innovative assessment system [shall]

- i. meet all requirements of State Assessment System [except requirement to provide all students the same test];
- ii. be aligned to the challenging State academic standards and address the depth and breadth of such standards;
- iii. express student results or student competencies in terms consistent with the State’s aligned academic achievement standards;
- iv. generate results that are valid and reliable, and comparable, for all students and for each subgroup of students, as compared to the results for such students on the State assessments;
- v. be developed in collaboration with (1) stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children; (2) teachers, principals, and other school leaders; (3) local educational agencies; (4) parents; and (5) civil rights organizations in the State;
- vi. be accessible to all students, such as by incorporating the principles of universal design for learning;
- vii. provide teachers, principals, other school leaders, students, and parents with timely data, disaggregated by each subgroup of students, to inform and improve instructional practice and student supports
- viii. identify which students are not making progress toward the challenging State academic standards so that teachers can provide instructional support and targeted interventions to all students;
- ix. annually measure the progress of not less than the same percentage of all students and students in each of the subgroups of students, who are enrolled in schools that are participating in the innovative assessment system and are required to take such assessments as were assessed by schools administering the assessment;
- x. generate an annual, summative achievement determination, based on the aligned State academic achievement standards and based on annual data, for each individual student; and
- xi. allow the State educational agency to validly and reliably aggregate data from the innovative assessment system for purposes of (1) accountability and (2) reporting, consistent with the requirements of State Assessments.

If the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, [the State must describe how it will] scale up the innovative assessment system to administer such system statewide in the State’s proposed demonstration authority period;

[The time period of] the demonstration authority shall not exceed 5 years. The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State

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educational agency demonstrates with evidence that the State educational agency’s innovative assessment system is continuing to meet requirements, including by demonstrating a plan for, and the capacity to, transition to statewide use of the innovative assessment system by the end of the 2-year extension period.

During the first 3 years that the Secretary provides State educational agencies and consortia with demonstration authority (referred to in this section as the “initial demonstration period”) the Secretary shall provide such demonstration authority to a total number of not more than 7 participating State educational agencies, including those participating in consortia, that have applications approved.”

**CFR Sec 200.105.b** States applying for the Demonstration Authority must show “that the innovation does or will align with the challenging State academic content standards for the grade in which a student is enrolled; express student results consistent with the challenging State academic achievement standards and identify which students are not making sufficient progress toward, and attaining, grade-level proficiency on such standards; provide for the participation of all students including children with disabilities and English language learners; provide appropriate accommodations; annually measure in each participating school progress of at least 95 percent of all students and 95 percent of students in each subgroup; generate an annual summative determination of achievement for each student; provide disaggregated results by each subgroup of students; and provide an unbiased, rational, and consistent determination of progress towards the State’s long-term goals for academic achievement.”  
(Note that this rulemaking is in effect as of January 9, 2017)

**Relevant High Concept Ideas, if any:**

To ensure all students have access to advanced coursework, New York will develop procedures to allow districts to administer and accept multiple types of alternatives to state assessments.

**Department Recommendations, if any:**

The Department recommends inviting schools, districts, and consortia of schools and districts across the state to submit proposals to serve as the initial pilot group for an Innovative Assessment Demonstration. These proposals will identify the Innovative Assessment to be piloted, the applicants’ history with and/or capacity to administer the Innovative Assessment, the potential to scale the Innovative Assessment statewide, and other information that will be required in the USDE application. After a thorough review, the Department will recommend to the Board of Regents that one of these proposed pilots serve as the basis for New York’s application to the USDE to participate in the Innovative Assessment Demonstration Authority.

**Questions for Consideration:**

What criteria should the Department prioritize in selection of an Innovative Assessment pilot for our State application?

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ESSA allows States to use innovative assessments for accountability purposes, but does not address graduation requirements. How will students in the pilot schools and districts meet graduation requirements during the Demonstration Authority, if a high school test is selected for the pilot?

ESSA does not provide additional funds for the demonstration authority, but rather allows states to utilize funds provided for the development of State assessments and standards, and for performance of certain activities not included in the authority (from ESSA: "A State may use funds available under section 1201 to carry out this section [1204].") Given that what should be the funding model for New York's participation in the Demonstration Authority?

**Background Information on the Recommendations and/or Questions for Consideration:**

During the Winter Regional Meetings, stakeholders are being asked to rank their preference among four types of Innovative Assessments, with the following information about each provided:

**Classroom-Based Performance Assessments**

Classroom-Based "Performance Assessments are generally multi-step activities ranging from quite unstructured to fairly structured. The key feature of such assessments is that students are asked to produce a product or carry out a performance (e.g., a musical performance) that is scored according to pre-specified criteria, typically contained in a scoring guide or rubric...Performance assessment can range from 15-20 minute tasks (i.e., quite short) to multi-day activities with many scoreable units." Marion, S. F. & Buckley, K. (2015). Design and implementation considerations of performance-based and authentic assessments for use in accountability systems. In Braun, H. (ed.). *Meeting the challenges to measurement in an era of accountability*. NCME Book Series.

**Project-Based Assessments**

Project-Based Assessments use a set of "structured performance tasks (e.g., writing samples taken individually or organized in structured portfolio collections, mathematics applications, and structured scientific investigations) [that are] locally administered [to] allow students to develop and demonstrate complex college- and career-ready skills that require more time and different modes of demonstration than a short sit-down test can accommodate: inquiry skills, written and spoken communication, ability to use feedback to revise, uses of technology, etc. The state provides common rubrics, training for scoring, and auditing to ensure that these can be scored reliably." Darling-Hammond, L., Wilhoit, G., & Pittenger, L. (2014). Accountability for college and career readiness: Developing a new paradigm. *Education Policy Analysis Archives*, 22(86).

**Interim Assessments**

"Interim assessments are administered periodically over the course of the school year to provide educators and other stakeholders with information on how students are performing relative to short- and longer-term learning goals and to predict whether students are likely to test proficient on the end-of-year state tests. Interim results can be aggregated, not only to provide teachers with information about individual students and their own classrooms, but to enable school and district stakeholders to examine the relative performance of classrooms within schools, schools within districts, and in some

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cases relative to other districts.”

Herman, J. (2016). *Comprehensive Standards-Based Assessment Systems Supporting Learning*. The Regents of the University of California.

**Computer Adaptive Assessments**

“Computer-adaptive tests (CATs) are tests that use a student’s responses on an exam to determine subsequent questions. Because it adjusts the difficulty of test questions during an exam, a CAT is likely to provide a more precise measure of a student’s knowledge and skills with fewer questions or items, as compared with a “fixed-form” (i.e., non-adaptive) assessment, particularly for students who perform well above or below their peers.”

U.S. Department of Education. (2016). *ESSA Negotiated Rulemaking Issue Paper #1: Computer Adaptive Tests (CATs)*. Washington, DC