



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #537

Alternative Assessments (DPI -- Administrative and Other Funding)

[LFB 2015-17 Budget Summary: Page 369, #5]

CURRENT LAW

The State Superintendent is required to adopt or approve standardized pupil assessments designed to measure pupil achievement in 4th, 8th, 9th, 10th, and 11th grades. The assessments must measure achievement in reading, mathematics, writing, science, and social science and must be administered to all pupils attending a public school, an independent "2r" charter school, or a private school if the pupil is attending under a private school choice program. A school board or independent "2r" charter school operator is not required to administer the 4th or 8th grade assessments adopted by the State Superintendent if the school board or charter school operator administers an alternative assessment and provides the State Superintendent with statistical correlations of the alternative assessment with the assessment adopted by the State Superintendent, subject to the approval of the federal Department of Education.

GOVERNOR

Provide \$750,000 GPR annually in a new annual appropriation to fund the identification of alternative assessments by the UW-Madison Value-Added Research Center (VARC).

Require that DPI request from VARC a list of nationally recognized, norm-referenced alternative assessments determined by VARC to be acceptable for statistical comparison with the assessment adopted or approved by the State Superintendent within 30 days of the effective date of the bill. Require that VARC evaluate and approve at least three and no more than five alternative assessments and submit the list of approved assessments to DPI within 90 days of the effective date of the bill.

Require that the alternative assessments approved by VARC meet the following

requirements: (a) align sufficiently with content standards established for the assessment adopted or approved by the State Superintendent; (b) use a variety of testing methodologies, including multiple choice and short answer, to assess a range of pupil skills; (c) include accommodations or alternative assessments for pupils enrolled in a special education program; (d) provide translations for pupils with limited English proficiency; (e) allow a variety of testing modes, including with paper and pencil, in an online format, in a fixed form format, and in an adaptive format; and (f) have internal consistency reliability coefficients of at least 0.8.

Provide that a school board, an operator of an independent "2r" charter school, or a private school participating in a private school choice program would not be required to administer an assessment adopted by the State Superintendent in any grade for which an assessment is required if the school or school district administered an alternative assessment approved by VARC in that grade, beginning in the 2015-16 school year. Require that a school board, an operator of an independent "2r" charter school, or a private school participating in a private school choice program notify DPI of its intent to administer an alternative assessment and annually publish information about the alternative assessment on its Internet site.

Require that a school board, independent "2r" charter school operator, or private school participating in a private school choice program that chose to administer an alternative assessment approved by VARC submit the results of that assessment to VARC. VARC would review the assessment results and statistically equate them to results from the assessment adopted or approved by the State Superintendent. VARC would provide the assessment data, as statistically equated, to DPI and to the school board, independent "2r" charter school operator, or private choice school. DPI would use the statistically equated data to determine the school or school district's accountability grade.

Provide that if a school administers an alternative assessment in any grade, and the cost of the alternative assessment exceeds the cost of the assessment approved or adopted by the State Superintendent for that grade, the school board, independent "2r" charter school operator, or governing body of the private choice program school would be responsible for paying the difference between the two costs.

DISCUSSION POINTS

1. Federal law under the reauthorized Elementary and Secondary Education Act (ESEA), or No Child Left Behind, requires states to administer exams in reading and mathematics annually to all public school pupils in 3rd through 8th grades, and once in high school, in addition to science examinations once each in the elementary, middle, and high school grades. State law requires that standardized pupil assessments are administered to all public school pupils, including pupils attending an independent "2r" charter school, in 4th, 8th, 9th, 10th, and 11th grades. Additionally, state law requires private choice schools to administer all assessments required under state or federal law to pupils attending the school under a choice program.

2. Currently, the assessments adopted by the State Superintendent include: (a) the Badger Exam, developed by the Smarter Balanced Assessment Consortium, to assess reading and

mathematics for pupils in 3rd through 8th grades; (b) the Wisconsin Knowledge and Concepts Exam (WKCE), to measure pupil achievement in science and social studies in the 4th, 8th, and 10th grades; (c) the ACT Aspire for pupils in 9th and 10th grades and the ACT Plus Writing and ACT WorkKeys for pupils in 11th grade; (d) Dynamic Learning Maps for pupils with disabilities; and (e) the Access for ELLs assessment for English language learners.

3. Starting in 1998-99, state law allows a school board operating elementary grades to develop or adopt its own examinations designed to measure pupil attainment of knowledge and concepts in 4th and 8th grades. If a school board develops or adopts its own examination, it is required to notify DPI and provide the State Superintendent with statistical correlations of those examinations with the statewide 4th and 8th grade examinations. Additionally, the federal Department of Education must approve of the alternative examination. Starting in 2002-03, similar provisions have applied to independent "2r" charter schools. DPI staff indicates that no district or "2r" charter school has chosen to administer alternative assessments under these provisions.

4. Results from pupil assessments are used in a number of ways. Assessment scores form the basis of the school and school district accountability reports by providing data used to measure pupil achievement, pupil growth, and gap closure, among other indicators. Results are also used to identify schools and districts in need of improvement, such as Title I focus and priority schools. Additionally assessment scores are one component used in the educator evaluation system. However, under state law, a district's assessment scores may not be used to determine the amount of general or categorical school aids received by the district.

5. Under the bill, VARC would be required to evaluate and approve at least three and no more than five alternative assessments that are acceptable for statistical comparison with the statewide assessment adopted by the State Superintendent. The bill would allow any public school, independent "2r" charter school, or private choice school to administer one of the alternative assessments, although under the ESEA, public schools, including independent "2r" charter schools, would be required to continue using the statewide assessment system adopted by the State Superintendent. If a school chose to administer an alternative assessment, it would be required to submit results to VARC, which would develop a statistical comparison between the alternative assessment data and the statewide assessment data and provide the results to DPI.

6. The statistical technique that would be used to develop a comparison between the alternative assessment data and data from the statewide assessment is known as linking. Linking is used to compare results from two different assessments, which were not designed to have identical content or difficulty levels. Although the language in the bill specifies that the assessments would be statistically equated with one another, that term refers to comparing different versions of the same assessment, which may differ slightly but were developed with the intent to include the same content and approximate difficulty level. In general, linking two assessments requires a comparison between the results of pupils who took both of the assessments, or between two groups of pupils who all took a third assessment in addition to one of the two assessments being compared.

7. VARC indicates that a number of factors could affect the accuracy of statistical comparisons between results from different assessments. One factor could be the number of pupils who would take each assessment. The process by which the statistical comparison would be

completed would require a minimum sample size of pupils in each comparison group to produce an accurate comparison. Additionally, the statistical comparisons could be affected by differences in testing conditions, such as the scheduled testing windows or the time limits of each assessment. If these factors differed between assessments, such as if an alternative assessment were administered at a different time of year than the statewide assessment, the accuracy of the comparisons would be decreased.

8. Under the ESEA, one statewide assessment system must be used to measure the achievement of all pupils attending a public school in the state, including those attending a charter school. However, the federal Department of Education has the authority to grant approval to a state to administer multiple assessments. Federal law requires that any alternative assessments administered to meet ESEA requirements must measure the full depth and breadth of the state's academic content standards; be valid, reliable, and of high technical quality; and be comparable to the statewide assessment in their content coverage, difficulty, and quality. A peer review process which requires experts in the fields of standards and assessment to review evidence provided by the state determines whether an assessment meets these criteria. One state, Utah, received approval for a pilot program that allowed some school districts to administer an alternative assessment instead of the statewide assessment. Utah demonstrated its compliance with these requirements through a process that included administering both the statewide assessment and the alternative assessment to pupils in some districts to provide statistical evidence that achievement levels on both assessments were comparable. In 2014-15, Utah is administering one statewide assessment.

9. Until Wisconsin applied for and was granted federal approval to administer each of the alternative assessments approved by VARC, federal law would require all public school pupils to continue administering the same statewide assessment. It is not known whether the federal Department of Education would approve the use of alternative assessments in public schools as described under this proposal, what evidence would be required for the approval of the assessments, or how long the approval could take. DPI indicates that school districts sign letters of assurances for their federal funds indicating that they will meet federal requirements, including those related to assessment. The federal Department of Education has the authority to impose sanctions on states or districts that do not adhere to federal testing requirements, including withholding federal funding such as Title I moneys from an individual district or from the state as a whole. Therefore, the flexibility under the bill would immediately apply to only private choice schools.

10. Under current law, DPI is responsible for procurement of the statewide assessment for administration to all public and independent "2r" charter school pupils, as well as pupils attending a private school under a choice program. Typically, the procurement process requires DPI to negotiate a contract with a test vendor based on a specified number of pupils being assessed in each year. The bill does not specify whether DPI or individual schools or districts would be responsible for the procurement of alternative assessments. Additionally, the bill does not specify a mechanism by which DPI would provide funding to districts or schools to procure their own assessments, or by which districts or schools would reimburse DPI for costs above those for the statewide assessment if DPI were responsible for procurement. A number of other issues could arise during the procurement process, including a lack of economies of scale for small districts or schools procuring an alternative assessment, or the timeline described in the bill under which alternative assessments would be

recommended by VARC prior to any price negotiations with test vendors.

11. Wisconsin has historically emphasized local control over the content and curriculum taught in public schools. Some argue that requiring all schools to use the same assessments diminishes local control because schools are likely to select content and curriculum that are aligned with the required assessments. Therefore, it could be argued that allowing schools to choose their own assessment, to the extent allowed under federal law, would increase the control of local districts over their standards and content, in addition to allowing schools to assess pupils in the manner they think most appropriate.

12. In particular, the proposal would provide immediate flexibility for private choice schools, which are required to administer the statewide assessment only to pupils attending the private school under a choice program. Private schools may choose to administer different assessments to other pupils in the school, particularly if they have selected academic standards that differ from those used by public schools. Some private choice schools argue that requiring choice pupils to take the statewide assessment may violate the privacy of these pupils by singling them out to take a different assessment than their classmates. The bill would allow a private choice school that did not wish to administer the statewide assessment to use an alternative assessment for all pupils attending the school, including choice program pupils.

13. On the other hand, one could argue that it may be preferable to maintain the uniform assessment system that exists under current law for all schools receiving public funds. Because private choice schools receive taxpayer funding to support some portion of their operations, it could be considered appropriate that they be required to administer the same tests as other taxpayer-funded schools. A uniform assessment system for all publicly funded schools, including private choice schools, provides a direct means by which the achievement and growth of pupils attending private choice schools can be compared with those of public school pupils.

14. The Committee may also wish to consider that DPI and VARC have indicated that, although it is possible to use statistical techniques to compare pupil results on different assessments, doing so does not provide the same degree of accuracy with which to compare pupil results as if all pupils are administered the same assessment. Given that one often-cited purpose of school accountability systems is to assist parents in making informed educational choices for their children, one could argue that maintaining one statewide assessment would provide more accurate and complete information for parents using assessment results to compare schooling options. Additionally, given that various factors can affect the accuracy of comparisons between tests, the use of alternative assessments could result in schools or districts questioning the fairness of testing results used for accountability purposes. Requiring all districts to use the same standardized assessment ensures that all schools are being measured in the same way.

15. Although reauthorization of the ESEA is normally due every five years, no reauthorization of the ESEA has been passed since 2002. Recent attempts to reauthorize the act have resulted in two versions of a reauthorization bill which were passed by House of Representatives and Senate committees earlier this year. Both versions maintain the annual testing requirements under current law, but the Senate version introduces additional flexibilities that could allow some districts within a state to use alternative assessments. It is not known if either of the bills

will be approved by the full House or Senate, if an agreement will be reached between the two chambers, or what provisions might be included in a final bill. Given the uncertainty regarding future assessment requirements under federal law, the Committee may wish to maintain the current statewide assessment system at this time, and consider adopting alternative assessments if a change is made to federal law.

16. The bill specifies that schools and districts could choose to administer alternative assessments beginning in the 2015-16 academic year. However, it may be preferable to delay the provision by one year to allow sufficient time for the selection, procurement, and implementation of alternative assessments. Under this approach, VARC could be given 180 days to identify alternative assessments meeting the criteria in the bill, which would allow additional time to gather information from test vendors and conduct necessary analyses. Sufficient time would be allotted for procurement, which DPI indicates typically takes six months or more. Additionally, schools and districts would be able to select an assessment prior to the start of the school year in which the assessment would be administered, and would have sufficient time for staff training associated with new assessments. On the other hand, given that a separate provision of the bill would require the State Superintendent to select a new assessment to be administered in the 2015-16 school year, it may be preferable to allow schools that would choose to administer an alternative assessment to do so immediately rather than requiring schools to administer the new statewide assessment for one year.

ALTERNATIVES

1. Approve the Governor's recommendation to provide \$750,000 annually in a new appropriation to fund the identification of alternative assessments by VARC.
2. Modify the Governor's recommendation to delay implementation of the provision by one year, so that alternative assessments could first be used in 2016-17. In addition, allow 180 days, rather than 90 days as in the bill, for VARC to identify alternative assessments.
3. Delete provision.

ALT 3	Change to Bill
GPR	- \$1,500,000

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