



**Summary of 2015 Legislative Changes to Assessment & Accountability**  
**H.B. 15-1323, Concerning Assessments in Public Schools and**  
**S.B. 15-56, Concerning Reducing the Frequency of Social Studies Testing**

**Overview of Changes**

Collectively, H.B. 15-1323 and S.B. 15-56:

- Eliminate 11<sup>th</sup> grade PARCC-developed English language arts and math state assessments;
- Replace the 10<sup>th</sup> grade PARCC assessments with an assessment that is aligned to both the Colorado Academic Standards and the 11<sup>th</sup> grade college entrance exam (**note**, both the 10<sup>th</sup> grade and 11<sup>th</sup> grade exam will require a competitive procurement that will occur this summer – until that process is complete, we will not know the assessment that will be chosen to fulfill this requirement);
- Retain science state assessments, once per level (elementary, middle, and high school with no 12<sup>th</sup> grade testing);
- Retain social studies assessments, once per level (elementary, middle, and high school with no 12<sup>th</sup> grade testing), but reduce frequency of assessment by using a sampling method such that each school is assessed once every three years (unless the district/school requests more frequent assessment);
- Require districts to adopt policies allowing parents to excuse their students from participating in state assessments;
- Allow districts to request paper/pencil format of online state assessments;
- Allow for more flexibility in testing English learners in their native language;
- Eliminate redundancies between the READ Act and school readiness assessment requirements;
- Clarify the use of state assessments in educator effectiveness evaluations;
- Implement the 2014-15 accreditation ratings and school plan types during the 2015-16 school year (new 2015 district accreditation ratings and school plan types will not be assigned and the accountability clock will pause and will not advance a year on July 1, 2016); and
- Create a two-phase assessment pilot program for districts and the state.

**Changes to Required State Assessments – In effect for the 2015-16 school year**

	<b>Existing Statute 2014-15</b>	<b>H.B. 15-1323 &amp; S.B. 15-156 Starting in 2015-16</b>
<b>English language arts</b>	Grades 3-11	Grades 3-9*
<b>Math</b>	Grades 3-8 and three times in high school	Grades 3-9*
<b>Science</b>	Once in elementary, once in middle, and once in high school	Once in elementary, once in middle and once in high school (not in 12 <sup>th</sup> grade)

	<b>Existing Statute 2014-15</b>	<b>H.B. 15-1323 &amp; S.B. 15-156 Starting in 2015-16</b>
<b>Social Studies</b>	Once in elementary, once in middle, and once in high school	Once in elementary, once in middle, and once in high school (not in 12 <sup>th</sup> grade) using a sampling approach (once every three years in each school)
<b>10<sup>th</sup> grade assessment aligned to state academic standards and the 11<sup>th</sup> grade curriculum-based college entrance exam</b>	Not required	Grade 10
<b>Curriculum-based, achievement college entrance exam (reading, math and science, with optional writing portion)</b>	Grade 11	Grade 11

\*CDE must apply to the U.S. Department of Education (USDoE) for a waiver necessary to administer English language arts and math assessments to 9<sup>th</sup> graders instead of 10<sup>th</sup>, 11<sup>th</sup> or 12<sup>th</sup> graders. Note that CDE has submitted a formal question to USDoE in this regard and anticipates a response by mid/late June.

## **District Assessment Policies & Practices – Changes for 2015-16 school year**

### ***District Policy on Paper and Pencil Assessments***

The law requires CDE to make available paper and pencil formats for any online state test for districts that request it. In consultation with parents, each district must adopt a written policy specifying whether students will use paper and pencil to complete any portion of the statewide assessments. Districts must provide annual notification to parents of this policy. Districts will determine if paper/pencil assessments will be used and will report to CDE the number of students who use the paper/pencil format. CDE anticipates asking districts in early fall to report the number of students that have requested to use the paper/pencil format.

### ***District Assessment Calendars***

Annually, districts must distribute a calendar to parents that specifies: (1) the assessments that will be administered; (2) the estimated hours of testing and whether assessments are required by federal or state law or selected by the district; and (3) the purpose of the assessments and how the assessment results will be used.

### ***District Policy for Excusing Students from Assessments***

Each district must adopt a written policy and procedure allowing a student's parent to excuse a student from participating in one or more state assessments. If a parent excuses his/her student from participating in an assessment, the district must not impose negative consequences on students or parents, including prohibiting school attendance, imposing an unexcused absence, or prohibiting participation in extracurricular activities. At the same time, the district cannot impose an unreasonable burden or requirement on a student to discourage the student from taking an assessment or encourage the student's parent to excuse his/her student from the assessment.

## **Flexibility for English Learners**

The legislation provides new flexibility for the assessment of English learners as outlined below.

- Districts may administer the state assessment in a language other than English for up to 5 years to a student who is an English language learner. (Previously, students who participated in an English Language Proficiency program for more than 3 years were ineligible to take these assessments.)
- Pending approval by USDoE, the state will no longer be required to include the English language arts scores of English learners who are in the first 24 months of being enrolled in the U.S. in calculating achievement of the performance indicators for accountability purposes.
- A student who is an English language learner who has been enrolled in a school for fewer than 12 months is not required to take the English language arts assessments.

The department will provide more detailed guidance to districts on these provisions by late summer/early fall.

## **READ Act and School Readiness Assessments – Changes for 2015-16 school year**

The legislation streamlined assessment requirements related to the READ Act and school readiness as outlined below:

- Districts may utilize more time to administer the READ Act assessments to kindergarten students, and, if administered in the first 60 days of the school year, can use the READ Act assessment to fulfill the literacy component of the school readiness assessment.
  - Specifically, each district must administer the READ Act assessment to kindergarteners in the first 90 days of the school year.
  - In addition, each district must complete the first checkpoint of the school readiness assessment within the first 60 days of the school year.
  - If a district administers the READ Act assessment in the first 60 days of the school year, it is not required to administer the literacy component of the school readiness assessment. The district may administer the literacy portion of the school readiness assessment if it provides additional information that would be helpful in supporting the kindergarten student.
- Districts do not need to create a separate school readiness plan and a READ plan for kindergarten students. If a student is identified as having a significant reading deficiency, the district will include the student's READ plan as a component of the student's school readiness plan. (Note: this is consistent with the original READ Act legislation and with CDE's guidance to the field.)
- Districts are not required to administer READ Act interim assessments for students demonstrating reading competency for their grade level throughout the remainder of the specific school year.
  - CDE will be working over the summer with the assessment providers of the approved READ Act assessments to identify cut-scores for grade level reading competency to help guide districts in making a decision about whether or not a student is demonstrating reading competency for his/her grade level. The department anticipates having guidance to the districts by late summer.
- Teachers have 60 days to administer the READ Act diagnostic test if a significant reading deficiency is detected.
  - Specifically, if, after administering the district's READ Act assessment, a teacher finds that a student may have a significant reading deficiency, the teacher must administer a diagnostic assessment to the student within 60 days of the previous assessment to determine the student's specific reading skill deficiencies.

- Of the list of State Board approved READ Act assessments, at least one interim and one diagnostic assessment must be available in paper/pencil format. (Note: the State Board's current approved list meets this requirement.)

## **Educator Evaluations**

The legislation clarified the use of state assessment data in educator evaluations as outlined below.

- For the 2014-15 school year, districts and local school boards may not use the results of the new statewide assessments (this pertains to the CMAS assessments which include science, social studies, PARCC English language arts, and PARCC math) in an educator's 2014-15 evaluation rating.
- Districts and local boards may use the new statewide assessment (CMAS) data from the 2014-15 school year only as baseline data for measuring student learning in 2015-16 and subsequent school years.
- Beginning with the 2015-16 school year, and in subsequent years, local boards may use statewide assessment data as a measure of student learning for that year's evaluation rating only if the data is available two weeks prior to last class day of the school year. If the local board does not receive the data in time to use it in the evaluation report prepared for the school year in which the assessments are administered, the local board must use alternate measures of student learning. If growth, based on state assessments, is not available prior to the last two weeks of the school-year, the local board must then use that statewide assessment data as a measure in the educator's evaluation the following school year. For educators who are new to a district, state growth measures from the prior year will not be available.

As a reminder, in 2015-16 and in subsequent years, 50% of an educator's evaluation must be based on multiple measures of student learning.

## **Accreditation Ratings and Accountability Clock**

The legislation provides for a one-year hold on district accreditation ratings and school plan types, allowing the state, districts, and schools time to review the new state assessment results without implications for school and district accountability purposes. Specifically, district accreditation ratings and school plan types will not be assigned in fall 2015. They will be resumed in the 2016-17 school year. During the 2015-16 school year, districts and schools will continue to implement the plan types that were assigned in fall 2014. The 5-year accountability clock for districts and schools in Priority Improvement or Turnaround will not include the 2015-16 school year.

CDE will be providing support to districts over the summer and fall to help districts continue their unified improvement planning efforts.

## **Assessment Pilot Program**

The bill establishes an assessment pilot program to allow districts to administer assessments that provide more timely and relevant data to inform instruction throughout the school year while continuing to provide comparative data for state accountability purposes. The pilot program is comprised of two phases, as outlined below. The legislation directs CDE to apply for a waiver from any

federal requirements to the extent necessary to implement the pilot. This includes seeking a waiver from the requirement that all students take a single statewide assessment.

### ***Participation***

In order to participate in the pilot program, the local board or other governing body must first adopt a written resolution authorizing the district to participate in the pilot. The district must notify CDE of its intent to participate in the pilot. CDE requests that notification, along with a copy of the board resolution, be provided to the Commissioner. The notification should include a description of the assessments the district intends to administer.

### ***Phase 1 – 2015-16 and 2016-17 School Years***

The first phase of the pilot would occur during the 2015-16 and 2016-17 school years and involves the following:

- Individually or in combination with other districts, participating districts will create or select assessments in each of the subjects required for statewide assessments. Districts must work with their Personnel Performance Evaluation Council, if applicable, to select or create these assessments.
- Participating districts must notify CDE (as described above) and parents of the assessments that it intends to administer.
- The assessments that a district chooses must:
  - assess students in each of the subject areas required for statewide assessments in at least one elementary, one middle school, and one high school grade;
  - provide sufficient data each school year to disaggregate and report for student subgroups; and
  - provide sufficient data each school year to measure, for each student enrolled in the grades assessed, the student's progress in meeting the state academic standards.
- Participating districts administer selected assessments for two school years to all or a portion of students enrolled in at least one elementary grade, one middle school grade, and one high school grade.
- **If required by federal law, participating districts may also need to continue administering statewide assessments during this period. CDE has asked the USDoE if districts participating in the pilot will need to continue to administer the statewide assessment during the pilot. We anticipate having an answer to this question by mid/late June.**
- After administering the assessments for two years, the district must submit to CDE the results for each year and demonstrate that the assessments are valid and reliable and the results are comparable to the results obtained on state assessments administered in the same school years. Upon request, CDE will provide technical assistance in evaluating the assessment results.
- CDE must review the data to ensure that each assessment meets requirements in statute and is valid and reliable.
- Based on this review, CDE will recommend two districts to the State Board to participate in the second phase of the pilot. The State Board will then select the two participating districts for the second phase of the pilot.

### ***Phase 2 – 2017-18 and 2018-19 School Years***

The second phase of the pilot occurs over the 2017-18 and 2018-19 school years and involves the following components:

- The two selected districts from Phase 1 will create or select assessments in each of the subjects and grades required for statewide assessments.

- As required in Phase 1, the assessments must provide sufficient data to:
  - disaggregate and report for student subgroups; and
  - measure, for each student enrolled in the grades assessed, the student's progress in meeting the state academic standards.
- As in Phase 1, the districts must notify CDE and parents of the assessments that it intends to administer.
- The districts administer their selected assessments to students in grades 3-11. If required by federal law, the districts may also need to continue administering statewide assessments during this period. CDE anticipates requesting guidance from USDoE on this matter in 2016-17 when the details of the second phase are more defined.
- After administering the assessments, the district must submit to CDE the results for each year and demonstrate that the results are comparable to the results obtained on state assessments administered in the same school years
- CDE must review the data to ensure that each assessment meets requirements in statute and is valid and reliable.
- Based on this review, CDE will recommend to the State Board of Education one local assessment for approval as the new state assessment or recommend that the state continue administering the existing state assessments.
- The State Board will select the new state assessment or continue administering the existing state assessments.
- If a new state assessment is adopted, the State Board will notify the General Assembly and implementation will be conditional on enactment of legislation that approves the use of the new assessment.

#### ***Contingency – Approval from USDoE***

CDE must apply to the USDoE for waivers necessary to implement the assessment pilot program. According to the law, waivers are to be requested prior to the first phase of the pilot program, prior to the second phase of the pilot program, and after the second phase of the program, if the State Board approves a new assessment.

CDE has submitted a formal question to the USDoE regarding Phase 1 of the pilot, specifically whether it is permissible for participants in the pilot to use their own assessments in lieu of the state assessment. The department anticipates a response in mid/late June. If the USDoE reports that it is permissible for participating districts to use their own assessments in lieu of the state assessment, CDE will submit an amendment to its USDoE flexibility waiver to reflect the pilot program. If the USDoE states that it is not permissible and that participating districts must continue to administer the state assessment, no waiver amendment is needed.

CDE plans to apply for any needed waivers related to Phase 2 of the pilot in the 2016-17 school year to be able to reflect what we have learned from Phase 1 and to be more specific as to the participants and process for Phase 2.