

2023 SENATE EDUCATION

SB 2028

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2028
1/11/2023

Relating to interim assessment of students.

9:30 AM Chairman Elkin opened the hearing. Present: Chairman Elkin, Vice Chairman Beard, Senator Axtman, Senator Conley, Senator Lemm, and Senator Wobbema.

Discussion Topics:

- Parent reports
- Approved criteria
- Secure data
- Vendor qualifications

Stan Schauer, Assessment Director in the Department of Public Instruction, testified in a neutral position. #12779, #12780

Dr Aimee Copas, Director of the ND Council of Educational Leaders, testified in support. #12518, #12519

Alexis Baxley, ND School Boards (NDSB), testified verbally in support.

9:55 AM Chairman Elkin closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2028
1/16/2023

Relating to interim assessment of students.

2:15 PM Chairman Elkin opened the committee work. Present: Chairman Elkin, Vice Chairman Beard, Senator Axtman, Senator Conley, Senator Lemm, and Senator Wobbema.

Discussion Topics:

- Committee action

Stan Schauer, Director of Assessments, Dept of Public Instruction, explained bill.

Senator Conley moved a DO PASS on amendment. (23.0146.02001)
Senator Axtmann seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Senator Wobbema moved a DO PASS as Amended
Senator Lemm seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Senator Elkin will carry the bill.

2:25 PM Chairman Elkin adjourned the meeting.

Pam Dever, Committee Clerk

January 16, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2028

Page 1, line 21, after "system" insert "for the purposes of statewide aggregated data results.
Individual district level data may be shared at the discretion of the local district"

ALT
1-16-23
(1-1)

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2028: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2028 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 21, after "system" insert "for the purposes of statewide aggregated data results. Individual district level data may be shared at the discretion of the local district"

Renumber accordingly

2023 HOUSE EDUCATION

SB 2028

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2028
3/7/2023

Relating to interim assessment of students

2:30 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, and Timmons. Absent: Representative Novak.

Discussion Topics:

- Gauge progress
- DPI data collection
- Fiscal note
- Student growth
- Statewide or district costs
- Assessment repeal and replace
- District cost savings
- Federal funds

Liz Fordahl, Legislative Council, oral testimony

Kevin Hohertz, NDCEL, Testimony 21828

Stanley Schauer, Director of Assessment, DPI, Testimony 21824, 21827

2:53 PM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2028
3/7/2023

Relating to interim assessment of students

4:04 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, and Timmons. Absent: Representative Novak.

Discussion Topics:

- Committee action
- Flexible test times
- General sequence
- Computer adaptive testing

Rep Hager moved a Do Pass on SB 2028, seconded by Rep Timmons.

4:29 PM Recessed to request Stanley Schauer, Director of Assessment, DPI, to come in.

4:36 PM reopened the meeting.

Stanley Schauer, Director of Assessment, DPI, to come down and answer questions.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	N
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Matt Heilman	N
Representative Jeff A. Hoverson	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric J Murphy	Y
Representative Anna S. Novak	AB
Representative Kelby Timmons	y

10-3-1 Motion carried. Rep Schreiber-Beck will carry the bill.

4:48 PM Meeting adjourned.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2028, as engrossed: Education Committee (Rep. Heinert, Chairman) recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2028 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2028

23.0146.02000

Sixty-eighth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Legislative Management

(Education Policy Committee)

1 A BILL for an Act to create and enact section 15.1-21-17.1 of the North Dakota Century Code,
2 relating to interim assessment of students.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Section 15.1-21-17.1 of the North Dakota Century Code is created and
5 enacted as follows:

6 **15.1-21-17.1. Interim assessment - State-provided or state-approved list.**

- 7 1. Each public school district shall administer annually to students in grades kindergarten
8 through ten at least two assessments in mathematics and reading. In administering
9 the assessment, a public school district shall use:
 - 10 a. The state-provided interim assessment; or
 - 11 b. An interim assessment from a state-approved list created and maintained by the
12 superintendent of public instruction.
- 13 2. The superintendent of public instruction shall contract with an interim assessment
14 vendor to create a state-provided interim assessment and distribute the assessment to
15 each public school district, at no charge to the districts, for the grade levels and
16 subjects provided in subsection 1.
- 17 3. If a district chooses to use an assessment from the state-approved list, the district is
18 responsible for any assessment-related costs.
- 19 4. To qualify as a state-provided or state-approved vendor of interim assessments, a
20 vendor must share the assessment data electronically with the statewide longitudinal
21 data system for the purposes of statewide aggregated data results. Individual district
22 level data may be shared at the discretion of the local district.
- 23 5. The superintendent shall adopt rules to develop the selection and approval criteria for
a state-approved interim assessment vendor.



1 SB 2028 – Relating to Interim assessment of Students

2 Chairman Elkin, members of the committee. For the record my name is Dr. Aimee Copas – I am
3 the Executive Director for the North Dakota Council of Educational Leaders) working with all of
4 our educational leaders in the state – including school administrators and directors.

5 This bill comes to you at the request of NDDPI. We come to you today in conditional support of
6 this bill. The only caveat being a minor amendment to the bill that keeps in place district level
7 protections of certain data to glean our full support.

8 On December 20th, 2022, NDDPI, NDSBA, NDCEL, and members of legislative leadership got
9 together at the capital to work through the bill. We came up with a common solution that satisfied
10 all parties. That solution is evident in the attached amendment. This amendment maintains the
11 current practice of keeping interim data at the district level as it is an instrumental tool for teachers,
12 not for statewide accountability, but it provides to the state the data they still need as the SLDS
13 will house the needed information per the legislative intent. Districts would be able to share
14 information if they wish with NDDPI through a data sharing agreement.

15 We ask that you review the amendment and consider this in your decision as the amendment
16 reflects what all parties agree are in the best interest of our schools and students in North Dakota.

TESTIMONY ON SB 2028
SENATE EDUCATION COMMITTEE
January 11, 2023
By: Stanley Schauer, Director of Assessment
701-328-2224
North Dakota Department of Public Instruction

Chairman Elkin and Members of the Committee:

My name is Stanley Schauer and I am the Director of Assessment with the North Dakota Department of Public Instruction (NDDPI). I am here to provide informational testimony, on behalf of NDDPI, on Senate Bill 2028 relating to interim assessment of students.

In **2009**, the Legislative Assembly passed HB 1400 and Section 19 of that bill created 15.1-21-17 – Interim Assessment and it stated “Each school district **shall** administer annually to students in grades two through ten the measures of academic progress test or any other interim assessment approved by the superintendent of public instruction.” Two issues existed:

1. Measures of Academic Progress (MAP) is an actual vendor provided interim assessment and;
2. The previous state superintendent never created a process or rules to have other interim assessment(s) approved by the superintendent of public instruction.

During the pandemic it was revealed that many school districts had not followed the existing law and had chosen other test vendors to meet the interim test requirement without getting approval from the state. These new test vendors were not submitting their results to the State Longitudinal Data System (SLDS) and thus the legislature had incomplete information on its state's students. Because of our legislators' desire to have access to information regarding math and reading progress of our students and their inability to do so with incomplete data, SB 2141 (2021) repealed 15.1-21-17 (Section 9). The bill also mandated the superintendent of public instruction to conduct a study involving education stakeholders during the 2021-22 interim (section 10). The goal was to create a system and process that would provide our legislators with complete data while allowing for as much local control as possible. The report produced from that study has been provided to you, including findings and the committee's recommendation.

The report was submitted to Legislative Management Chairman Pollert and Interim Education Policy Committee Chair Schreiber-Beck on 5-17-2022. A presentation was given to the Interim Education Policy Committee on 8-18-2022 and the Committee approved bill draft 23.0146.02000 (current version) on 9-9-2022.

Sub-section one would reinstate the requirement for districts to annually administer an interim assessment, requires grades kindergarten through ten, and

specifically mentions the two subjects, math and reading. Also, section one creates a choice to accomplish this requirement via a state-provide interim assessment or choosing a vendor from a state-approved list. A state-provided interim assessment is one in which NDDPI contracts with a vendor, pays for/manages the assessment and conducts the administration. This is new. Previously, school districts were responsible for all the costs of the required interim test. The committee saw the cost-saving advantage of a statewide contract available for all schools. A state-approved interim is what has occurred since 2009, the district is responsible for the contract with a vendor, paying for/managing the assessment, and conducting administration.

Sub-section two and three are simple and sort of define, as I did above, the difference between the two options.

Sub-section four calls for any vendor, state-provided or state-approved, to electronically share interim assessment data with the statewide longitudinal data system (SLDS). This does not mean NDDPI or any other entity will publicly post or make student, school, or district level data readily or publicly available. The intention is for a far more robust state-aggregated interim assessment data set to be available.

Lastly, sub-section 5 calls for the superintendent of public instruction to write administrative rules for the selection and approval process to determine

interim assessment vendors that are state approved. As initially stated, one of the two issues with the previously repealed language dealt with no authority or process created to accompany the call for the superintendent to approve. The other issue is also resolved by not having an actual vendor name placed back into North Dakota Century Code.

In conclusion, I would like to thank the members of the committee that were assembled to study interim assessments. These individuals are listed in the provided report, and they dedicated their expertise, time, and effort to help complete the study and formulate the recommendation. Lastly, the report covers the required areas to be studied and goes into more of the details, that lead to the recommendation, than I have covered with my testimony today.

Chairman Elkin and Members of the Committee, that concludes my prepared testimony and I will stand for any questions that you may have.

Kirsten Baesler
State Superintendent

Dr. Donna Fishbeck
Chief of Staff

Laurie Matzke
Assistant Superintendent



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Superintendent of Public Instruction Study – Interim Education Assessments

SECTION 10. SUPERINTENDENT OF PUBLIC INSTRUCTION STUDY - INTERIM EDUCATION ASSESSMENTS - REPORT TO LEGISLATIVE MANAGEMENT. During the 2021-22 interim, the superintendent of public instruction shall study interim education assessment systems. The study must include consultation and collaboration with education stakeholders and the kindergarten through grade twelve education coordination council. The study also must include an evaluation and review of existing vendors, data standardization, statewide longitudinal data system compatibility, the costs associated with the interim assessment systems, and the benefits of local and statewide interim assessment systems. Before June 1, 2022, the superintendent of public instruction shall report the findings and recommendations of the study, including any proposed legislation necessary to implement the recommendations, to the legislative management.

Section 9 of S.B. 2141 repealed previous language in the North Dakota Century Code (NDCC) (15.1-21-17) that pertained to interims.

Findings and recommendations from the completed study are provided in this report.

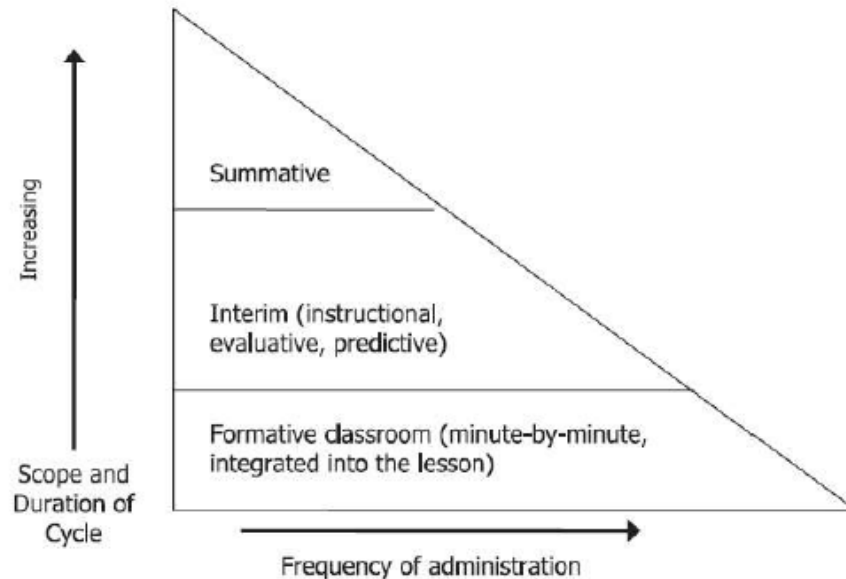
Interim Assessment Definition

First, it is essential to establish a clear framework around the concept when studying interim education assessment systems. Names and classifications of assessments in education are not always standard. Assessments are typically named or classified via their use and purpose, scope and duration, and frequency of administration. North Dakota does not have a codified definition for interim assessments. Other states have included a description of an interim assessment in their state law. California and Kentucky are examples. California details an interim assessment as “an assessment that is designed to be given during the school year to evaluate a pupil's knowledge and skills relative to specific academic standards to provide timely feedback, used in combination with other sources of information teachers have about their pupils' progress, for purposes of continually adjusting instruction to improve learning, and that produces results that can be aggregated by classroom, course, grade level, or school.” Kentucky describes interim assessment as “assessments that are given periodically throughout the year to provide diagnostic information and to show individual student performance against content standards.”

Nationally known assessment experts Perie, Marion, and Gong produced a standard and baseline definition of an interim assessment in 2009. This definition describes interim assessments as, “Assessments administered during instruction to evaluate students' knowledge and skills relative to a specific set of academic goals to inform policymaker or educator decisions at the classroom,

school, or district level.” Along with a definition, three commonly accepted purposes of an interim assessment were defined: 1. Instructional, 2. Evaluative, 3. Predictive. The figure below (Figure 1) is a good visual for where interim assessments fit into the assessment continuum. (Attachment 1)

Figure 1



History of Interim Education Assessment in North Dakota

The 61st Legislative Assembly (2009) saw House Bill 1400 add a new chapter to 15.1-21 dealing with interim assessments. Section 19 of the bill created 15.1-21-17 - Interim Assessment and it stated: “Each school district shall administer annually to students in grades two through ten the measures of academic progress test or any other interim assessment approved by the superintendent of public instruction.” The measures of academic progress test referred to in law is more commonly referred to as the MAP or the NWEA MAP test in North Dakota.

Unfortunately, no Administrative Rules were created by the previous NDDPI administration for interim assessments. Thus, no process was developed for the superintendent of public instruction to approve “any other interim assessment approved by the superintendent of public instruction.” This resulted in a variety of un-approved models of interim assessment being used in schools throughout North Dakota and defeating the purpose of HB 1400. The language added to NDCC remained static until the 67th Legislative Assembly (2021). Senate Bill 2141 repealed 15.1-21-17 and created this study to be conducted on interim education assessments to restore original intent of HB 1400.

Currently, it is unknown how many different interim assessment vendors are being used in North Dakota districts. Six major interim assessment vendors were identified in a data collection effort that occurred in the school year 2019-2020. NWEA (114), Renaissance (48), and Pearson (39) were the three most common. Through conversations and committee work anecdotes, we believe there are over fifteen different vendors/companies providing variations of their interim assessment products to North Dakota districts. Currently, no data standardization is required of the chosen assessment tools, and no required sharing of the assessment results in the State Longitudinal Data System (SLDS).

Interim Assessment in Other States

It is essential to understand how other states manage interim assessments and what exists in their state law or code. To assist in this part of the study, partners were required. Education Commission of the States (ECS) performed a state statute scan that provide nine different state statutes and three State Education Agency (SEA) scans (Attachment 2). Council of Chief State School Officers (CCSSO) Deputy Executive Director, Scott Norton, assisted in sharing a quick five-question survey to collect state interim assessment information, and seventeen states shared feedback (Attachment 3). The state survey inquired about SEA levels of determination with interim assessment, mandates, grade levels and SEA access to data. Lastly, an organization called Assessment Solutions Group (ASG) conducts one of the most well-known and respected state assessment surveys. In February of 2022 the results of this survey were revealed. Forty-four states and DC took part in the survey. The survey consisted of online questions, an excel file data entry on assessment information, and a follow-up interview to collect additional clarifying information. (Attachment 4).

Below is a snap-shot culmination of the data collected from the ECS and CCSSO scans:

Figure 2

<u>State</u>	<u>SEA Involvement</u>	<u>Interim Vendor Mandates</u>	<u>Grade Levels</u>	<u>SEA access to data</u>
Hawaii	Choice & State Provided	No	3 to 8, 11	Yes
West Virginia	Choice & State Provided	No	3 to 8	Yes
Utah	Choice & State Provided	No	3 to 8	Yes - do not review
Nevada	Choice & State Provided	No	3 to 8	No
Wisconsin	None	No	Local choice	No
Wyoming	Choice & State Provided	No	K-10	Yes
Oklahoma	Choice - state alignment study	3rd grade reading, K	NA	Yes
New Hampshire	Choice & State Provided	No	3 to 8, 11	Yes
Vermont	Choice & State Provided	No	Local choice	Yes, on provided (not stored)
Texas	Choice & State Provided (aligned)	No	3 to 8, HS	No (no accountability)
Minnesota	None	No	NA	No
Maryland	None	No	Local choice	No
Nebraska	Choice & State Provided	No	K to 10	Yes
California	Choice & State Provided	Approved List	1 to 12	No
Indiana	Choice & State Provided	No if local fund, Yes if State	K to 10	Yes, on provided
South Dakota	Choice & State Provided	No	3 to 8, HS	Yes, on provided
Montana	Choice & State Provided	No	3 to 8	Yes, on provided
South Carolina	Choice & State Provided	Approved list - funded	NA	NA
Michigan	Choice & State Provided	Approved list	K to 8	Yes, on provided
Colorado	Choice	Approved List, K-3 screener	NA	NA
Georgia	Choice	No	K to 8	NA
Kentucky	Choice	No	Local choice	No
Louisiana	Choice & State Provided	No	Local choice	No
Rhode Island	Choice (grants available)	No	Local choice	No

The scans revealed that most states have a portion of law or requirement for schools to administer an interim assessment. No states that were a part of the scan have a mandated vendor or assessment tool. Alaska is currently studying requiring interims as part of a statewide assessment system. Oklahoma has a required 3rd-grade assessment, and Colorado has a mandated Most commonly, states and SEAs provide an interim assessment at no cost to all districts. These are not mandated assessment providers, but they can be used to fulfill interim assessment requirements at no additional cost to the local district. These states also allow districts to choose a vendor or tool of their choice. In the figure (Figure 2) above, these states are indicated by

Choice & State-Provided. A few states from the scan do not have a state-provided option, but allow local choice, defined as Choice. Both categories include states that have created an approved vendor list. This means that an interim assessment/vendor must be on the approved list to be used. Districts and schools can then choose which assessment or vendor they want to use from this list. Some states that do not have an approved list and any assessment/vendor can be used. The last category for SEA involvement is None.

Interim Assessment Study Committee

The study calls for consultation and collaboration with education stakeholders. A committee was formed to ensure this requirement was met, consisting of state administrators and content experts. On July 22, 2021, an email was sent to members of Superintendent Baesler’s Administrator Cabinet requesting recommendations for educators to assist in the study. The roster for the interim assessment study committee is pictured below (Figure 3):

Figure 3

<u>Name</u>	<u>District/School</u>	<u>Position</u>
Erica Carney	Richland	Literacy Coach
Robert (Bob) Grosz	Fargo	Associate Superintendent
Andrea Seibel	Bismarck	MTSS District Support
Jerry Standifer	West Fargo	Elementary Principal
Richard Schmit	Lisbon	3rd grade teacher
Amy Braddock	West Fargo	Special Ed. teacher
Anna Sell	Oakes	Elementary Principal
Ashley Seykora	Rugby	Instructional Coach

The committee had representation from varying school sizes and different positions within their respective schools/districts. Three virtual meetings occurred on September 9, 2021, October 7, 2021, and November 29, 2021. The committee’s work dealt with reviewing research on interim assessments, discussing and researching the five required elements of the study, and building a recommendation and proposed legislation to implement the proposal. The meeting agenda and notes can be found in Attachment 5. The outcome of the committee is this document that serves as the report of findings and will include a recommendation and any necessary proposed legislation to implement the recommendations. A progress update was given via NDDPI Assistant Director of the School Approval and Opportunity office, Jim Upgren, on September 29, 2021 to the K-12 Education Coordination Council - Legislative Approval Initiatives Subcommittee (Attachment 6). The study draft and recommendations will be presented to the K-12 Education Coordination Council (or subcommittee). The finished study and recommendation will then be given to Legislative Management (before June 1, 2022) and a report presented to the 67th Legislative Interim Education Policy Committee.

Evaluation and Review of Existing Vendors

When national interim assessment vendors are used, the test items are typically the same in other states regardless of the vendor. Without having a customized version that is explicitly created, the level of alignment in all grades and subjects would be less than our state assessment. Some standards are commonly found in almost all state standards and similar grade levels. Interim

assessment vendors provide an umbrella coverage of multiple state standards so that alignment exists, but variation in the level of alignment is inevitable with this approach.

One way to analyze the alignment between interim assessments and state content standards is to conduct a comparative alignment analysis. A quote for an interim assessment alignment study, that included four interim assessment vendors and two grade levels (4th and 7th), revealed a cost of \$82,764. While a third-party alignment study can be helpful, the committee felt it would be more beneficial to survey once action has been taken with the information garnered from the study.

Although a comparative alignment analysis for North Dakota was not conducted at this time, we can draw on work from other states. A recent alignment study was conducted in Oklahoma comparing four interim assessment vendors (Attachment 7). Oklahoma commissioned the comparative analysis study to provide schools in the state with a resource to use when selecting an interim assessment vendor. The study used test items from the interim assessment and the state standards to look at assessment features, targets, Depth of Knowledge (DoK), and if items match the state standards in certain grade levels and subjects.

Wyoming has created a nationally known series of assessments (WY-TOPP) through a task force review of its educational assessment system. The task force provided recommendations related to interim assessments. The recommendations included designing the summative and interim assessments to measure the same learning targets, use the same test questions, and provide the same item formats to create coherence between assessments. Their current interim assessment vendors had different learning targets, different assessment approaches, and varying test item designs. The task force recommended that Wyoming not require districts to use the state-provided interim assessment but instead allow districts to choose an interim state-approved assessment, with the district responsible for the cost. (Attachment 8).

In discussion with committee members and through conversations with districts, deciding which interim assessment vendor was chosen came down to ease of use and cost. Providing a state-wide interim assessment or having a list of approved interim assessment vendors in the state, conducting a third-part comparative alignment analysis would give schools and districts a solid set of information to use in a decision-making process. In 2021, three states (Oklahoma, Indiana, and Michigan) shared their state role in evaluating interim assessments (Attachment 9) at the National Conference on Student Assessment.

Data Standardization

Data standardization of interim assessments does not exist within North Dakota currently. We have no data on the exact number of different interim assessments or vendors in North Dakota. Data standardization is easily done with one vendor but still possible with fewer known assessments and vendors. Each vendor has its own test items, scale scores, number of questions used, standards the items relate to for each subject and grade level. Also, and as mentioned earlier, interim assessments typically serve one of three primary purposes. An interim used for predictability on another assessment does not necessarily yield comparable results to an interim used to give instructional feedback. For example, ACT Aspire, commonly used in high school to predict how well a student might perform on an ACT and yield benchmark data, can be considered an interim assessment and this would not be directly comparable to an NWEA Map (target instructional feedback and growth monitoring over a period of time). The use and purpose of the assessment itself and the assessment's standards need to be considered.

In summary, the fewer the number of interim assessments and vendors in a state, the more manageable data standardization becomes. North Dakota researched NWEA scores since it is the most common interim assessment used to understand students where students were in their academic learning after the pandemic. The constraints and limitations discovered during that research process revealed the deficits of our current interim assessment structure.

Statewide Longitudinal Data System (SLDS) Compatibility

In conversations with the more prevalent interim assessment vendors currently in North Dakota, uploading data files from an assessment vendor's system to a state's system is no issue. In other words, the capability is not a hurdle. This process already occurs in multiple states and is done in a various ways. For instance, some states request that a particular set of specifications or templates are used by vendors when sharing these data files. Rather than capability, the issue with SLDS usage of interim assessment data in North Dakota is that it is not required or standardized. Some interim assessment data is loaded into SLDS, but it is estimated that more than half do not. Currently, no NDDPI analysis occurs with the interim assessment data at a state level.

The committee members felt strongly that SLDS is underutilized in terms of interim assessment data. Some were unsure if their school even uploaded their data into the system and were unsure if anything was done with the data if uploaded. If SLDS and EdPortal were utilized better, students who transferred could have interim scores shared from the systems to the school in which the student was transferring. Lastly, having SLDS create data reports and assist with analysis could be timesaving for districts and schools with limited personnel. The potential for data analysis, reporting, and assisting in the usability of interim assessment data is essentially untapped. Increasing data standardization, increasing reporting to SLDS, and creating a template/data upload specifications all increase the effectiveness of using SLDS with interim assessment data.

Cost Associated with Interim Assessment Systems

For a look at the cost of current vendors quotes were received from Renaissance and NWEA. The cost proposals included the vendor's main interim assessment package, as vendors typically have different and customizable options for schools. Renaissance has Star 360 with an annual subscription for a district being \$14.89 per student and an additional \$750 for the web platform service. For a one-year state-wide purchase the per students price drops to \$13.50, and the web platform service fee is waived. For a state-wide purchase of three years, and paid upfront, the price is \$10.00 per student, and the fee is also waived. NWEA provides the MAP assessment. Districts currently pay \$12.50 - \$14.50 per student. A state-wide purchase would be set at \$12.50 per student.

Cost savings at a local level would depend on the district's size. For a district with 150 students in grades two through ten (old interim assessment law grade requirements), the state-wide Renaissance Star 360 (1 year) would be \$1.39 cheaper per student, equating to around a \$200 savings (plus the web platform fee waiver of \$750). If the district had 5000 students, with the same hypothetical situation and set price, the savings would be about \$7000 (plus the same \$750 is waived). With NWEA, the districts above would most likely be paying the highest in the range. This would be a \$2.00 per student savings or \$300. The larger districts would most likely pay the lowest amount, so no savings exist. Even though the larger district would save \$7000 with the state-wide Renaissance Star 360, compared to the district pricing, the NWEA would still be cheaper at the district and state-wide levels (\$67,500 for Renaissance Star 360 v. \$62,500 for NWEA MAP).

The most significant cost savings would be the three-year prepaid option from Renaissance. The smaller district (compared to current district pricing) saves \$4.89 per student plus a \$750 web platform fee; this equates to about \$900. The larger district (compared to the current district price) saves the same \$4.89 per student plus a \$750 platform fee; this equates to about \$25,000. This model makes Renaissance cheaper than NWEA in the larger district (\$50,000 for Renaissance STAR 360 v. \$62,500 for NWEA MAP).

Benefits of Local and Statewide Interim Assessment Systems

Comparing a local and statewide interim assessment system is not straightforward, instead a continuum. The committee used this continuum (a list of all possible options) to create a recommendation. The strictly local and strictly statewide system options were eliminated immediately. A strictly local system exists when nothing is guiding or mandating which interim assessments to use or how/when to administer. This system creates the maximum amount of local control but also the minimum amount of data standardization, SLDS usage/compatibility, and cost savings. A strictly statewide system creates the least amount of local authority because all districts use the same interim assessment, have the same number of administrations, and a window where the assessments need to be administered. Inherently, this increases data standardization, SLDS compatibility, and cost savings. The committee reasoned that a strictly statewide system removes too much local control and does not allow districts to decide what works best for their schools.

The state research and committee discussion helped lay out the continuum of options to consider (Attachment 5 - Page 4). On this page, the continuum of options is visually represented. As one moves down the page from 1(A) to 2, the choices represent different points from a strictly statewide to a strictly local interim assessment system. Options 1(A) and 2 were removed first. Those would represent the strictly local and statewide interim assessment systems. 1(D) was removed next, representing North Dakota's environment in place before the study. This left 1(B) and 1(C). Each point on the continuum has advantages and disadvantages. The committee's job of the committee was to find which point they felt best fit North Dakota.

Recommendation

The recommendation that the committee shared was for a state-provided interim assessment that could be used by all districts in the state, along with a state-approved list of interim assessment vendors if a district chose not to use the state-provided option. Administering an interim assessment would be mandatory, but using the state-provided assessment tool would not be required. If a district opted not to use the state-provided assessment, it would need to choose a vendor from the list approved by the Superintendent of Public Instruction. The district would be fiscally responsible for the cost of this interim assessment.

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Proposed Legislation Necessary to Implement

A proposed bill would add section 15.1-21-17.1 to North Dakota Century Code (15.1-21-17 was repealed). The committee's recommendation is below.

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15.1-21-17.1 Interim Assessment – State-Provided and State-Approved List

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 - b. the state-approved interim assessment list created and maintained by the Superintendent of Public Instruction provides options for an interim assessment vendor to be selected by school districts. The district is fiscally responsible and must ensure that interim assessment data is shared with the statewide longitudinal data system.
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3. The superintendent shall write rules to develop the selection and approval criteria.

TESTIMONY ON SB 2028
HOUSE EDUCATION COMMITTEE
March 1, 2023
By: Stanley Schauer, Director of Assessment
701-328-2224
North Dakota Department of Public Instruction

Chairman Heinert and Members of the Committee:

My name is Stanley Schauer and I am the Director of Assessment with the North Dakota Department of Public Instruction (NDDPI). I am here to provide informational testimony, on behalf of NDDPI, on Senate Bill 2028 relating to interim assessment of students.

In **2009**, the Legislative Assembly passed HB 1400 and Section 19 of that bill created 15.1-21-17 – Interim Assessment and it stated “Each school district **shall** administer annually to students in grades two through ten the measures of academic progress test or any other interim assessment approved by the superintendent of public instruction.” Two issues existed:

1. Measures of Academic Progress (MAP) is an actual vendor provided interim assessment and;
2. The previous state superintendent never created a process or rules to have other interim assessment(s) approved by the superintendent of public instruction.

During the pandemic it was revealed that many school districts had not followed the existing law and had chosen other test vendors to meet the interim test requirement without getting approval from the state. These new test vendors were not submitting their results to the State Longitudinal Data System (SLDS) and thus the legislature had incomplete information on its state's students. Because of our legislators' desire to have access to information regarding math and reading progress of our students and their inability to do so with incomplete data, SB 2141 (2021) repealed 15.1-21-17 (Section 9). The bill also mandated the superintendent of public instruction to conduct a study involving education stakeholders during the 2021-22 interim (section 10). The goal was to create a system and process that would provide our legislators with complete data while allowing for as much local control as possible. The report produced from that study has been provided to you, including findings and the committee's recommendation.

The report was submitted to Legislative Management Chairman Pollert and Interim Education Policy Committee Chair Schreiber-Beck on 5-17-2022. A presentation was given to the Interim Education Policy Committee on 8-18-2022 and the Committee approved bill draft 23.0146.02000 (previous version) on 9-9-2022. In coordination with North Dakota Council of Education Leaders and North Dakota School Boards Association, when the bill was heard in the Senate,

subsection 4 was amended to ease concerns about access to student level data. This created the current version (23.0146.03000).

Sub-section one would reinstate the requirement for districts to annually administer an interim assessment, requires grades kindergarten through ten, and specifically mentions the two subjects, math and reading. Also, section one creates a choice to accomplish this requirement via a state-provide interim assessment or choosing a vendor from a state-approved list. A state-provided interim assessment is one in which NDDPI contracts with a vendor, pays for/manages the assessment and conducts the administration. This is new. Previously, school districts were responsible for all the costs of the required interim test. The committee saw the cost-saving advantage of a statewide contract available for all schools. A state-approved interim is what has occurred since 2009, the district is responsible for the contract with a vendor, paying for/managing the assessment, and conducting administration.

Sub-section two and three are simple and sort of define, as I did above, the difference between the two options.

Sub-section four calls for any vendor, state-provided or state-approved, to electronically share interim assessment data with the statewide longitudinal data system (SLDS). This does not mean NDDPI or any other entity will publicly post or make student, school, or district level data readily available. The intention is for

a far more robust state-aggregated interim assessment data set to be available. This is what was wanted by decision makers during the pandemic and was not available.

Lastly, sub-section 5 calls for the superintendent of public instruction to write administrative rules for the selection and approval process to determine interim assessment vendors that are state approved. As initially stated, one of the two issues with the previously repealed language dealt with no authority or process created to accompany the call for the superintendent to approve. The other issue is also resolved by not having an actual vendor name placed back into North Dakota Century Code.

In conclusion, I would like to thank the members of the committee that were assembled to study interim assessments. These individuals are listed in the provided report, and they dedicated their expertise, time, and effort to help complete the study and formulate the recommendation. Lastly, the report covers the required areas to be studied and goes into more of the details, that led to the recommendation, than I have covered with my testimony today.

Chairman Heinert and Members of the Committee, that concludes my prepared testimony and I will stand for any questions that you may have.

Kirsten Baesler
State Superintendent

Dr. Donna Fishbeck
Chief of Staff

Laurie Matzke
Assistant Superintendent



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Superintendent of Public Instruction Study – Interim Education Assessments

SECTION 10. SUPERINTENDENT OF PUBLIC INSTRUCTION STUDY - INTERIM EDUCATION ASSESSMENTS - REPORT TO LEGISLATIVE MANAGEMENT. During the 2021-22 interim, the superintendent of public instruction shall study interim education assessment systems. The study must include consultation and collaboration with education stakeholders and the kindergarten through grade twelve education coordination council. The study also must include an evaluation and review of existing vendors, data standardization, statewide longitudinal data system compatibility, the costs associated with the interim assessment systems, and the benefits of local and statewide interim assessment systems. Before June 1, 2022, the superintendent of public instruction shall report the findings and recommendations of the study, including any proposed legislation necessary to implement the recommendations, to the legislative management.

Section 9 of S.B. 2141 repealed previous language in the North Dakota Century Code (NDCC) (15.1-21-17) that pertained to interims.

Findings and recommendations from the completed study are provided in this report.

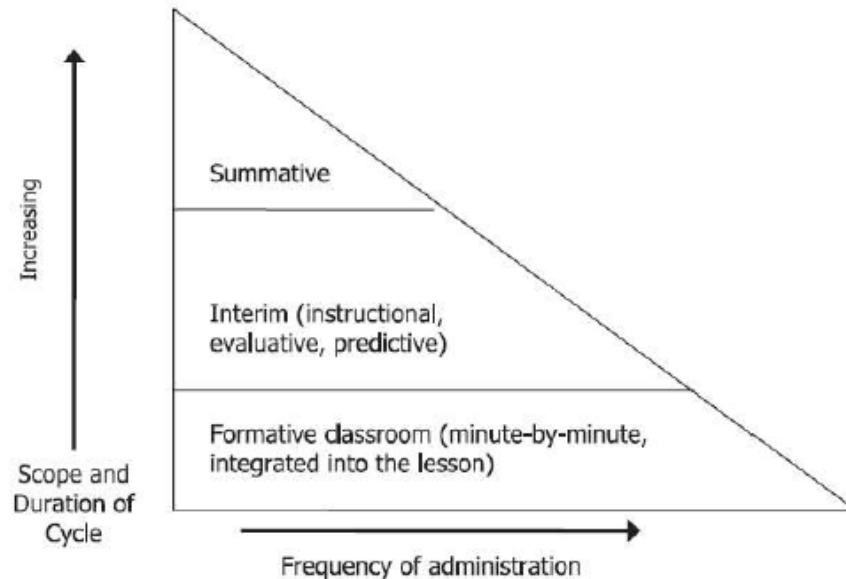
Interim Assessment Definition

First, it is essential to establish a clear framework around the concept when studying interim education assessment systems. Names and classifications of assessments in education are not always standard. Assessments are typically named or classified via their use and purpose, scope and duration, and frequency of administration. North Dakota does not have a codified definition for interim assessments. Other states have included a description of an interim assessment in their state law. California and Kentucky are examples. California details an interim assessment as “an assessment that is designed to be given during the school year to evaluate a pupil's knowledge and skills relative to specific academic standards to provide timely feedback, used in combination with other sources of information teachers have about their pupils' progress, for purposes of continually adjusting instruction to improve learning, and that produces results that can be aggregated by classroom, course, grade level, or school.” Kentucky describes interim assessment as “assessments that are given periodically throughout the year to provide diagnostic information and to show individual student performance against content standards.”

Nationally known assessment experts Perie, Marion, and Gong produced a standard and baseline definition of an interim assessment in 2009. This definition describes interim assessments as, “Assessments administered during instruction to evaluate students' knowledge and skills relative to a specific set of academic goals to inform policymaker or educator decisions at the classroom,

school, or district level.” Along with a definition, three commonly accepted purposes of an interim assessment were defined: 1. Instructional, 2. Evaluative, 3. Predictive. The figure below (Figure 1) is a good visual for where interim assessments fit into the assessment continuum. (Attachment 1)

Figure 1



History of Interim Education Assessment in North Dakota

The 61st Legislative Assembly (2009) saw House Bill 1400 add a new chapter to 15.1-21 dealing with interim assessments. Section 19 of the bill created 15.1-21-17 - Interim Assessment and it stated: “Each school district shall administer annually to students in grades two through ten the measures of academic progress test or any other interim assessment approved by the superintendent of public instruction.” The measures of academic progress test referred to in law is more commonly referred to as the MAP or the NWEA MAP test in North Dakota.

Unfortunately, no Administrative Rules were created by the previous NDDPI administration for interim assessments. Thus, no process was developed for the superintendent of public instruction to approve “any other interim assessment approved by the superintendent of public instruction.” This resulted in a variety of un-approved models of interim assessment being used in schools throughout North Dakota and defeating the purpose of HB 1400. The language added to NDCC remained static until the 67th Legislative Assembly (2021). Senate Bill 2141 repealed 15.1-21-17 and created this study to be conducted on interim education assessments to restore original intent of HB 1400.

Currently, it is unknown how many different interim assessment vendors are being used in North Dakota districts. Six major interim assessment vendors were identified in a data collection effort that occurred in the school year 2019-2020. NWEA (114), Renaissance (48), and Pearson (39) were the three most common. Through conversations and committee work anecdotes, we believe there are over fifteen different vendors/companies providing variations of their interim assessment products to North Dakota districts. Currently, no data standardization is required of the chosen assessment tools, and no required sharing of the assessment results in the State Longitudinal Data System (SLDS).

Interim Assessment in Other States

It is essential to understand how other states manage interim assessments and what exists in their state law or code. To assist in this part of the study, partners were required. Education Commission of the States (ECS) performed a state statute scan that provide nine different state statutes and three State Education Agency (SEA) scans (Attachment 2). Council of Chief State School Officers (CCSSO) Deputy Executive Director, Scott Norton, assisted in sharing a quick five-question survey to collect state interim assessment information, and seventeen states shared feedback (Attachment 3). The state survey inquired about SEA levels of determination with interim assessment, mandates, grade levels and SEA access to data. Lastly, an organization called Assessment Solutions Group (ASG) conducts one of the most well-known and respected state assessment surveys. In February of 2022 the results of this survey were revealed. Forty-four states and DC took part in the survey. The survey consisted of online questions, an excel file data entry on assessment information, and a follow-up interview to collect additional clarifying information. (Attachment 4).

Below is a snap-shot culmination of the data collected from the ECS and CCSSO scans:

Figure 2

<u>State</u>	<u>SEA Involvement</u>	<u>Interim Vendor Mandates</u>	<u>Grade Levels</u>	<u>SEA access to data</u>
Hawaii	Choice & State Provided	No	3 to 8, 11	Yes
West Virginia	Choice & State Provided	No	3 to 8	Yes
Utah	Choice & State Provided	No	3 to 8	Yes - do not review
Nevada	Choice & State Provided	No	3 to 8	No
Wisconsin	None	No	Local choice	No
Wyoming	Choice & State Provided	No	K-10	Yes
Oklahoma	Choice - state alignment study	3rd grade reading, K	NA	Yes
New Hampshire	Choice & State Provided	No	3 to 8, 11	Yes
Vermont	Choice & State Provided	No	Local choice	Yes, on provided (not stored)
Texas	Choice & State Provided (aligned)	No	3 to 8, HS	No (no accountability)
Minnesota	None	No	NA	No
Maryland	None	No	Local choice	No
Nebraska	Choice & State Provided	No	K to 10	Yes
California	Choice & State Provided	Approved List	1 to 12	No
Indiana	Choice & State Provided	No if local fund, Yes if State	K to 10	Yes, on provided
South Dakota	Choice & State Provided	No	3 to 8, HS	Yes, on provided
Montana	Choice & State Provided	No	3 to 8	Yes, on provided
South Carolina	Choice & State Provided	Approved list - funded	NA	NA
Michigan	Choice & State Provided	Approved list	K to 8	Yes, on provided
Colorado	Choice	Approved List, K-3 screener	NA	NA
Georgia	Choice	No	K to 8	NA
Kentucky	Choice	No	Local choice	No
Louisiana	Choice & State Provided	No	Local choice	No
Rhode Island	Choice (grants available)	No	Local choice	No

The scans revealed that most states have a portion of law or requirement for schools to administer an interim assessment. No states that were a part of the scan have a mandated vendor or assessment tool. Alaska is currently studying requiring interims as part of a statewide assessment system. Oklahoma has a required 3rd-grade assessment, and Colorado has a mandated Most commonly, states and SEAs provide an interim assessment at no cost to all districts. These are not mandated assessment providers, but they can be used to fulfill interim assessment requirements at no additional cost to the local district. These states also allow districts to choose a vendor or tool of their choice. In the figure (Figure 2) above, these states are indicated by

Choice & State-Provided. A few states from the scan do not have a state-provided option, but allow local choice, defined as Choice. Both categories include states that have created an approved vendor list. This means that an interim assessment/vendor must be on the approved list to be used. Districts and schools can then choose which assessment or vendor they want to use from this list. Some states that do not have an approved list and any assessment/vendor can be used. The last category for SEA involvement is None.

Interim Assessment Study Committee

The study calls for consultation and collaboration with education stakeholders. A committee was formed to ensure this requirement was met, consisting of state administrators and content experts. On July 22, 2021, an email was sent to members of Superintendent Baesler’s Administrator Cabinet requesting recommendations for educators to assist in the study. The roster for the interim assessment study committee is pictured below (Figure 3):

Figure 3

<u>Name</u>	<u>District/School</u>	<u>Position</u>
Erica Carney	Richland	Literacy Coach
Robert (Bob) Grosz	Fargo	Associate Superintendent
Andrea Seibel	Bismarck	MTSS District Support
Jerry Standifer	West Fargo	Elementary Principal
Richard Schmit	Lisbon	3rd grade teacher
Amy Braddock	West Fargo	Special Ed. teacher
Anna Sell	Oakes	Elementary Principal
Ashley Seykora	Rugby	Instructional Coach

The committee had representation from varying school sizes and different positions within their respective schools/districts. Three virtual meetings occurred on September 9, 2021, October 7, 2021, and November 29, 2021. The committee’s work dealt with reviewing research on interim assessments, discussing and researching the five required elements of the study, and building a recommendation and proposed legislation to implement the proposal. The meeting agenda and notes can be found in Attachment 5. The outcome of the committee is this document that serves as the report of findings and will include a recommendation and any necessary proposed legislation to implement the recommendations. A progress update was given via NDDPI Assistant Director of the School Approval and Opportunity office, Jim Upgren, on September 29, 2021 to the K-12 Education Coordination Council - Legislative Approval Initiatives Subcommittee (Attachment 6). The study draft and recommendations will be presented to the K-12 Education Coordination Council (or subcommittee). The finished study and recommendation will then be given to Legislative Management (before June 1, 2022) and a report presented to the 67th Legislative Interim Education Policy Committee.

Evaluation and Review of Existing Vendors

When national interim assessment vendors are used, the test items are typically the same in other states regardless of the vendor. Without having a customized version that is explicitly created, the level of alignment in all grades and subjects would be less than our state assessment. Some standards are commonly found in almost all state standards and similar grade levels. Interim

assessment vendors provide an umbrella coverage of multiple state standards so that alignment exists, but variation in the level of alignment is inevitable with this approach.

One way to analyze the alignment between interim assessments and state content standards is to conduct a comparative alignment analysis. A quote for an interim assessment alignment study, that included four interim assessment vendors and two grade levels (4th and 7th), revealed a cost of \$82,764. While a third-party alignment study can be helpful, the committee felt it would be more beneficial to survey once action has been taken with the information garnered from the study.

Although a comparative alignment analysis for North Dakota was not conducted at this time, we can draw on work from other states. A recent alignment study was conducted in Oklahoma comparing four interim assessment vendors (Attachment 7). Oklahoma commissioned the comparative analysis study to provide schools in the state with a resource to use when selecting an interim assessment vendor. The study used test items from the interim assessment and the state standards to look at assessment features, targets, Depth of Knowledge (DoK), and if items match the state standards in certain grade levels and subjects.

Wyoming has created a nationally known series of assessments (WY-TOPP) through a task force review of its educational assessment system. The task force provided recommendations related to interim assessments. The recommendations included designing the summative and interim assessments to measure the same learning targets, use the same test questions, and provide the same item formats to create coherence between assessments. Their current interim assessment vendors had different learning targets, different assessment approaches, and varying test item designs. The task force recommended that Wyoming not require districts to use the state-provided interim assessment but instead allow districts to choose an interim state-approved assessment, with the district responsible for the cost. (Attachment 8).

In discussion with committee members and through conversations with districts, deciding which interim assessment vendor was chosen came down to ease of use and cost. Providing a state-wide interim assessment or having a list of approved interim assessment vendors in the state, conducting a third-part comparative alignment analysis would give schools and districts a solid set of information to use in a decision-making process. In 2021, three states (Oklahoma, Indiana, and Michigan) shared their state role in evaluating interim assessments (Attachment 9) at the National Conference on Student Assessment.

Data Standardization

Data standardization of interim assessments does not exist within North Dakota currently. We have no data on the exact number of different interim assessments or vendors in North Dakota. Data standardization is easily done with one vendor but still possible with fewer known assessments and vendors. Each vendor has its own test items, scale scores, number of questions used, standards the items relate to for each subject and grade level. Also, and as mentioned earlier, interim assessments typically serve one of three primary purposes. An interim used for predictability on another assessment does not necessarily yield comparable results to an interim used to give instructional feedback. For example, ACT Aspire, commonly used in high school to predict how well a student might perform on an ACT and yield benchmark data, can be considered an interim assessment and this would not be directly comparable to an NWEA Map (target instructional feedback and growth monitoring over a period of time). The use and purpose of the assessment itself and the assessment's standards need to be considered.

In summary, the fewer the number of interim assessments and vendors in a state, the more manageable data standardization becomes. North Dakota researched NWEA scores since it is the most common interim assessment used to understand students where students were in their academic learning after the pandemic. The constraints and limitations discovered during that research process revealed the deficits of our current interim assessment structure.

Statewide Longitudinal Data System (SLDS) Compatibility

In conversations with the more prevalent interim assessment vendors currently in North Dakota, uploading data files from an assessment vendor's system to a state's system is no issue. In other words, the capability is not a hurdle. This process already occurs in multiple states and is done in a various ways. For instance, some states request that a particular set of specifications or templates are used by vendors when sharing these data files. Rather than capability, the issue with SLDS usage of interim assessment data in North Dakota is that it is not required or standardized. Some interim assessment data is loaded into SLDS, but it is estimated that more than half do not. Currently, no NDDPI analysis occurs with the interim assessment data at a state level.

The committee members felt strongly that SLDS is underutilized in terms of interim assessment data. Some were unsure if their school even uploaded their data into the system and were unsure if anything was done with the data if uploaded. If SLDS and EdPortal were utilized better, students who transferred could have interim scores shared from the systems to the school in which the student was transferring. Lastly, having SLDS create data reports and assist with analysis could be timesaving for districts and schools with limited personnel. The potential for data analysis, reporting, and assisting in the usability of interim assessment data is essentially untapped. Increasing data standardization, increasing reporting to SLDS, and creating a template/data upload specifications all increase the effectiveness of using SLDS with interim assessment data.

Cost Associated with Interim Assessment Systems

For a look at the cost of current vendors quotes were received from Renaissance and NWEA. The cost proposals included the vendor's main interim assessment package, as vendors typically have different and customizable options for schools. Renaissance has Star 360 with an annual subscription for a district being \$14.89 per student and an additional \$750 for the web platform service. For a one-year state-wide purchase the per students price drops to \$13.50, and the web platform service fee is waived. For a state-wide purchase of three years, and paid upfront, the price is \$10.00 per student, and the fee is also waived. NWEA provides the MAP assessment. Districts currently pay \$12.50 - \$14.50 per student. A state-wide purchase would be set at \$12.50 per student.

Cost savings at a local level would depend on the district's size. For a district with 150 students in grades two through ten (old interim assessment law grade requirements), the state-wide Renaissance Star 360 (1 year) would be \$1.39 cheaper per student, equating to around a \$200 savings (plus the web platform fee waiver of \$750). If the district had 5000 students, with the same hypothetical situation and set price, the savings would be about \$7000 (plus the same \$750 is waived). With NWEA, the districts above would most likely be paying the highest in the range. This would be a \$2.00 per student savings or \$300. The larger districts would most likely pay the lowest amount, so no savings exist. Even though the larger district would save \$7000 with the state-wide Renaissance Star 360, compared to the district pricing, the NWEA would still be cheaper at the district and state-wide levels (\$67,500 for Renaissance Star 360 v. \$62,500 for NWEA MAP).

The most significant cost savings would be the three-year prepaid option from Renaissance. The smaller district (compared to current district pricing) saves \$4.89 per student plus a \$750 web platform fee; this equates to about \$900. The larger district (compared to the current district price) saves the same \$4.89 per student plus a \$750 platform fee; this equates to about \$25,000. This model makes Renaissance cheaper than NWEA in the larger district (\$50,000 for Renaissance STAR 360 v. \$62,500 for NWEA MAP).

Benefits of Local and Statewide Interim Assessment Systems

Comparing a local and statewide interim assessment system is not straightforward, instead a continuum. The committee used this continuum (a list of all possible options) to create a recommendation. The strictly local and strictly statewide system options were eliminated immediately. A strictly local system exists when nothing is guiding or mandating which interim assessments to use or how/when to administer. This system creates the maximum amount of local control but also the minimum amount of data standardization, SLDS usage/compatibility, and cost savings. A strictly statewide system creates the least amount of local authority because all districts use the same interim assessment, have the same number of administrations, and a window where the assessments need to be administered. Inherently, this increases data standardization, SLDS compatibility, and cost savings. The committee reasoned that a strictly statewide system removes too much local control and does not allow districts to decide what works best for their schools.

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1 SB 2028 – Relating to Interim assessment of Students

2 Chairman Heinert, members of the committee. For the record my name is Kevin Hoherz – I am a
3 representative for the North Dakota Council of Educational Leaders working with all of our
4 educational leaders in the state – including school administrators and directors.

5 This bill comes to you at the request of NDDPI. We come to you today in support of the current
6 bill. That keeps in place district level protections of certain data to glean our full support.

7 On December 20th, 2022, NDDPI, NDSBA, NDCEL, and members of legislative leadership got
8 together at the capital to work through the bill. We came up with a common solution that satisfied
9 all parties. This solution maintains the current practice of keeping interim data at the district level
10 as it is an instrumental tool for teachers, not for statewide accountability, but it provides to the
11 state the data they still need as the SLDS will house the needed information per the legislative
12 intent. Districts would be able to share information if they wish with NDDPI through a data
13 sharing agreement. Furthermore, legislators will always have the ability to have their questions
14 answered and to have the data accessed to respond to such questions. You as individual legislators
15 are always welcomed and encouraged to stop by the schools in your legislative district and have
16 conversations with the leaders there and gain a greater understanding of what is happening at your
17 schools.

18 We ask for your support on SB 2028 that all parties agreed upon in the best interest of our schools
19 and students in North Dakota.