AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5
OFFERED BY MS. BONAMICI OF OREGON

In section 131—

(1) redesignate subsection (b) as subsection (c);

and

(2) insert after subsection (a) the following:

(b) COMPETENCY-BASED ASSESSMENTS.—Part A of title I (20 U.S.C. 6311 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subpart:

“Subpart 6—Innovative Assessment Systems

“SEC. 1261. INNOVATIVE ASSESSMENT SYSTEMS.

“(a) DEFINITIONS.—In this section:

“(1) COLLEGE AND CAREER READY STANDARDS.—The term ‘college and career ready standards’ means the academic content and academic achievement standards adopted by a State under section 1111(b).

“(2) COMPETENCY EDUCATION.—The term ‘competency education’ is defined, (at a minimum), as a school-level framework for learning that enables
personalization, with the goal of students becoming proficient, in which—

“(A) students advance upon mastery;

“(B) competencies are transparent, aligned to State academic standards, and include explicit, measurable, and transferable learning objectives;

“(C) assessment improves teaching and learning in real time and validates when students are ready to demonstrate mastery; and

“(D) students receive timely, differentiated support based on their individual learning needs.

Competencies emphasize growth towards higher order skills, including the application and creation of knowledge and social emotional skills.

“(3) CORE INDICATORS.—The term ‘core indicators’ means—

“(A) State academic assessments that meet the requirements of section 1111(b)(2) and that provide data that can be compared with data regarding the State academic assessments required under section 1111(b)(2); and

“(B) graduation rates.
“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State educational agency or consortium of State educational agencies.

“(5) MASTERY.—The term ‘mastery’ means a level of knowledge or skill development demonstrated by a student signifying that the student has met a standard and is prepared to progress to a subsequent standard.

“(6) PERFORMANCE ASSESSMENT.—The term ‘performance assessment’ means a multi-step assessment that—

“(A) includes complex activities with clear criteria, expectations, and processes that enable students to interact with meaningful content; and

“(B) measures the depth at which students learn content and apply complex skills to create or refine an original product or solution.

“(b) DEMONSTRATION AUTHORITY.—

“(1) IN GENERAL.—The Secretary may provide eligible entities, in accordance with paragraph (3), with the authority to establish State assessment systems that enable competency education to satisfy the requirements under section 1111(b)(2) and 1111(b)(3) and use results of such competency edu-
cation assessment system for the purposes of school improvement under section 1111(b)(3)(B)(iii) and in accordance with an application approved under subsection (c).

“(2) DEMONSTRATION PERIOD.—The initial award of demonstration authority under this part shall be for a period of 5 years. After such period, if the Secretary has not withdrawn the demonstration authority from an eligible entity, the eligible entity shall be permitted to operate the assessment system approved under the demonstration authority in lieu of the requirements under section 1111(b)(2), except that the assessments required under section 1111(b)(2) shall be administered at a minimum of once in grades 3 through 5, once in grades 6 through 8, and once in high school.

“(3) INITIAL DEMONSTRATION AUTHORITY; EXPANSION; RENEWAL.—

“(A) INITIAL LIMIT.—During the initial 3-year period of demonstration authority under this section, the Secretary may not provide more than 5 eligible entities with the authority described in paragraph (1).

“(B) EXPANSION OF DEMONSTRATION AUTHORITY.—After the end of the initial dem-
onstration period described in subparagraph (A), the Secretary may provide additional eligi-
ble entities with demonstration authority de-
scribed in paragraph (1), subject to each of the 
requirements of this part as applicable, if the 
Secretary determines that the demonstration 
authority provided under this part during the 
initial demonstration period has effectively sup-
ported student progress on core indicators 
among students served by the eligible entities, 
including subgroups of students described in 
section 1111(b)(2)(B)(xii).

“(c) APPLICATIONS.—To be eligible to participate in 
the demonstration under this part, an eligible entity shall 
submit an application to the Secretary at such time, in 
such manner, and containing such information as the Sec-
retary may require, that describes the assessment system 
that will be used by the eligible entity, including—

“(1) a description of the assessment system the 
eligible entity will use, including—

“(A) how the system will provide annual 
summative student performance data gathered 
in one of the following ways—

“(i) a statewide summative assess-
in each of grades 3 through 8 and once in
grades 9 through 12;

“(ii) a statewide summative instru-
ment administered at least once annually
in each of grades 3 through 8 and once in
grades 9 through 12 administered as mul-
tiple assessments throughout the year; or

“(iii) a combination of a statewide
summative assessment and, or in lieu of,
local summative assessments administered
at least once annually in each of grades 3
through 8 and once in grades 9 through
12, so long as—

“(I) the assessments provide, at
a minimum, annual information about
student performance to inform deter-
minations about accountability and
supports and interventions;

“(II) the statewide assessment
occurs at a minimum of once in ele-
mental, once in middle, and once in
high school;

“(III) the assessment items are
aligned to college- and career-ready
State academic standards;
“(IV) the local assessment instruments produce comparable results across the State that are of high technical quality, reliability, and validity; and

“(V) the system of assessments incorporates multiple sources of evidence of student learning, including performance-based tasks; and

“(B) how the system will incorporate formative, interim, and summative assessments, including the use of performance assessments and other sources of evidence of student learning that determine mastery of college and career ready standards and competencies.

“(d) ASSURANCES.—The State educational agency will provide assurances that—

“(1) the system is aligned to college and career ready standards and State-approved competencies;

“(2) the system has been developed in collaboration with stakeholders representing the interests of students with disabilities, English learners, civil rights organizations, and educators or their representatives in the State, as demonstrated through
modifications made to the assessments resulting
from such collaboration;

“(3) the system incorporates the principles of
universal design as defined in section 3(a) of the As-
ssistive Technology Act of 1998 (29 U.S.C. 3002(a));

“(4) the system will allow students to dem-
onstrate progress toward mastery of such standards
and State-approved competencies;

“(5) the assessments will assess mastery of
State-approved competencies when students are
ready to demonstrate mastery of such standards and
competencies;

“(6) the system will provide students with mul-
tiple opportunities to demonstrate mastery of such
standards and competencies;

“(7) the system will engage and support teach-
ers in scoring assessments, including the use of high
quality professional development, standardized and
calibrated scoring rubrics, and other strategies to
ensure inter-rater reliability and comparability of de-
terminations of mastery across the State;

“(8) the system provides educators, students,
and parents with real-time data to inform instruc-
tional practice and continuously improve student performance;

“(9) the system will provide instructional support and targeted intervention to all students to ensure every student is on-track to master the State approved standards and competencies by graduation;

“(10) the system will only utilize a student’s individualized education program, as defined in section 602 of the Individuals with Disabilities Education Act, for purposes specifically allowed under such Act;

“(11) a description of how the system will be used to satisfy the accountability requirements of section 1111(b)(3);

“(12) the State will administer the annual statewide assessment required under section 1111(b)(2) until the secretary removes such requirement as described under subsection (b)(2);

“(13) the eligible entity’s plan to—

“(A) ensure that all students, including each student subgroup described in section 1111(b)(2)(B)(xi)—

“(i) are held to the same high standard;
“(ii) demonstrate annually, at a minimum, at least 1 year of academic growth; and

“(iii) receive the instructional support needed to attain mastery of college and career ready standards and State-approved competencies;

“(B) train local educational agency and school staff to implement the assessments described in paragraph (2)(A);

“(C) acclimate students to the new assessment and accountability systems; and

“(D) ensure that each local educational agency has the technological infrastructure to operate the accountability and assessment systems described in this section; and

“(14) a description of how instruction and professional development will be enhanced to personalize the educational experience for each student to ensure all students graduate college and career ready, as determined in accordance with State academic achievement standards under section 1111(b); and

“(15) a description of the local educational agencies within the State that will participate in the pilot.
“(e) PEER REVIEW.—The Secretary shall—

“(1) implement a peer review process, which shall include a review team comprised of practitioners and experts who are knowledgeable about assessment systems and competency education, to inform the awarding of the demonstration authority under this part; and

“(2) make publicly available the applications submitted under subsection (e) and the peer comments and recommendations on such applications.

“(f) DEMONSTRATION AUTHORITY WITHDRAWN.—

The Secretary may withdraw the demonstration authority provided to an eligible entity under this part if at any point after the 3 year demonstration period described in subsection (b)(2), the Secretary determines that student performance for all students served by the eligible entity or any student subgroup described under section 1111(b)(2)(B)(xii) has declined on core indicators;

“(g) DISSEMINATION OF BEST PRACTICES.—The Secretary shall disseminate best practices on the implementation of accountability and assessment systems, including on—

“(1) strategies that States used to accelerate mastery of State standards and aligned com-
petencies to close achievement gaps and increase
readiness for college and career;

“(2) the effective use of formative, interim, and
summative assessments to inform instruction; and

“(4) the development of standardized and cali-
brated scoring rubrics, and other strategies to en-
sure inter-rater reliability and comparability of de-
terminations of mastery across the State.”.