

**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:

1 (b) **COMPETENCY-BASED ASSESSMENTS.**—Part A of
2 title I (20 U.S.C. 6311 et seq.), as amended by the pre-
3 ceding provisions of this Act, is further amended by add-
4 ing at the end the following new subpart:

5 **“Subpart 6—Innovative Assessment Systems**

6 **“SEC. 1261. INNOVATIVE ASSESSMENT SYSTEMS.**

7 “(a) **DEFINITIONS.**—In this section:

8 “(1) **COLLEGE AND CAREER READY STAND-**
9 **ARDS.**—The term ‘college and career ready stand-
10 **ards’** means the academic content and academic
11 achievement standards adopted by a State under
12 section 1111(b).

13 “(2) **COMPETENCY EDUCATION.**—The term
14 ‘competency education’ is defined, (at a minimum),
15 as a school-level framework for learning that enables

1 personalization, with the goal of students becoming
2 proficient, in which—

3 “(A) students advance upon mastery;

4 “(B) competencies are transparent, aligned
5 to State academic standards, and include ex-
6 plicit, measurable, and transferable learning ob-
7 jectives;

8 “(C) assessment improves teaching and
9 learning in real time and validates when stu-
10 dents are ready to demonstrate mastery; and

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

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

17 “(3) CORE INDICATORS.—The term ‘core indi-
18 cators’ means—

19 “(A) State academic assessments that
20 meet the requirements of section 1111(b)(2)
21 and that provide data that can be compared
22 with data regarding the State academic assess-
23 ments required under section 1111(b)(2); and

24 “(B) graduation rates.

1 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means a State educational agency or consor-
3 tium of State educational agencies.

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

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

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

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

19 “(b) DEMONSTRATION AUTHORITY.—

20 “(1) IN GENERAL.—The Secretary may provide
21 eligible entities, in accordance with paragraph (3),
22 with the authority to establish State assessment sys-
23 tems that enable competency education to satisfy the
24 requirements under section 1111(b)(2) and
25 1111(b)(3) and use results of such competency edu-

1 cation assessment system for the purposes of school
2 improvement under section 1111(b)(3)(B)(iii) and in
3 accordance with an application approved under sub-
4 section (c).

5 “(2) DEMONSTRATION PERIOD.—The initial
6 award of demonstration authority under this part
7 shall be for a period of 5 years. After such period,
8 if the Secretary has not withdrawn the demonstra-
9 tion authority from an eligible entity, the eligible en-
10 tity shall be permitted to operate the assessment
11 system approved under the demonstration authority
12 in lieu of the requirements under section 1111(b)(2),
13 except that the assessments required under section
14 1111(b)(2) shall be administered at a minimum of
15 once in grades 3 through 5, once in grades 6
16 through 8, and once in high school.

17 “(3) INITIAL DEMONSTRATION AUTHORITY; EX-
18 PANSION; RENEWAL.—

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

24 “(B) EXPANSION OF DEMONSTRATION AU-
25 THORITY.—After the end of the initial dem-

1 onstration period described in subparagraph
2 (A), the Secretary may provide additional eligi-
3 ble entities with demonstration authority de-
4 scribed in paragraph (1), subject to each of the
5 requirements of this part as applicable, if the
6 Secretary determines that the demonstration
7 authority provided under this part during the
8 initial demonstration period has effectively sup-
9 ported student progress on core indicators
10 among students served by the eligible entities,
11 including subgroups of students described in
12 section 1111(b)(2)(B)(xii).

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

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

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

24 “(i) a statewide summative assess-
25 ment administered at least once annually

1 in each of grades 3 through 8 and once in
2 grades 9 through 12;

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

8 “(iii) a combination of a statewide
9 summative assessment and, or in lieu of,
10 local summative assessments administered
11 at least once annually in each of grades 3
12 through 8 and once in grades 9 through
13 12, so long as—

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

19 “(II) the statewide assessment
20 occurs at a minimum of once in ele-
21 mentary, once in middle, and once in
22 high school;

23 “(III) the assessment items are
24 aligned to college- and career-ready
25 State academic standards;

1 “(IV) the local assessment in-
2 struments produce comparable results
3 across the State that are of high tech-
4 nical quality, reliability, and validity;
5 and

6 “(V) the system of assessments
7 incorporates multiple sources of evi-
8 dence of student learning, including
9 performance-based tasks; and

10 “(B) how the system will incorporate form-
11 ative, interim, and summative assessments, in-
12 cluding the use of performance assessments and
13 other sources of evidence of student learning
14 that determine mastery of college and career
15 ready standards and competencies.

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

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

20 “(2) the system has been developed in collabo-
21 ration with stakeholders representing the interests of
22 students with disabilities, English learners, civil
23 rights organizations, and educators or their rep-
24 resentatives in the State, as demonstrated through

1 modifications made to the assessments resulting
2 from such collaboration;

3 “(3) the system incorporates the principles of
4 universal design as defined in section 3(a) of the As-
5 sistive Technology Act of 1998 (29 U.S.C.14
6 3002(a));

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

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

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

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

23 “(8) the system provides educators, students,
24 and parents with real-time data to inform instruc-

1 tional practice and continuously improve student
2 performance;

3 “(9) the system will provide instructional sup-
4 port and targeted intervention to all students to en-
5 sure every student is on-track to master the State
6 approved standards and competencies by graduation;

7 “(10) the system will only utilize a student’s in-
8 dividualized education program, as defined in section
9 602 of the Individuals with Disabilities Education
10 Act, for purposes specifically allowed under such
11 Act;

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

15 “(12) the State will administer the annual
16 statewide assessment required under section
17 1111(b)(2) until the secretary removes such require-
18 ment as described under subsection (b)(2);

19 “(13) the eligible entity’s plan to—

20 “(A) ensure that all students, including
21 each student subgroup described in section
22 1111(b)(2)(B)(xii)—

23 “(i) are held to the same high stand-
24 ard;

1 “(ii) demonstrate annually, at a min-
2 imum, at least 1 year of academic growth;
3 and

4 “(iii) receive the instructional support
5 needed to attain mastery of college and ca-
6 reer ready standards and State-approved
7 competencies;

8 “(B) train local educational agency and
9 school staff to implement the assessments de-
10 scribed in paragraph (2)(A);

11 “(C) acclimate students to the new assess-
12 ment and accountability systems; and

13 “(D) ensure that each local educational
14 agency has the technological infrastructure to
15 operate the accountability and assessment sys-
16 tems described in this section; and

17 “(14) a description of how instruction and pro-
18 fessional development will be enhanced to personalize
19 the educational experience for each student to en-
20 sure all students graduate college and career ready,
21 as determined in accordance with State academic
22 achievement standards under section 1111(b); and

23 “(15) a description of the local educational
24 agencies within the State that will participate in the
25 pilot.

1 “(e) PEER REVIEW.—The Secretary shall—

2 “(1) implement a peer review process, which
3 shall include a review team comprised of practi-
4 tioners and experts who are knowledgeable about as-
5 sessment systems and competency education, to in-
6 form the awarding of the demonstration authority
7 under this part; and

8 “(2) make publicly available the applications
9 submitted under subsection (c) and the peer com-
10 ments and recommendations on such applications.

11 “(f) DEMONSTRATION AUTHORITY WITHDRAWN.—
12 The Secretary may withdraw the demonstration authority
13 provided to an eligible entity under this part if at any
14 point after the 3 year demonstration period described in
15 subsection (b)(2), the Secretary determines that student
16 performance for all students served by the eligible entity
17 or any student subgroup described under section
18 1111(b)(2)(B)(xii) has declined on core indicators;

19 “(g) DISSEMINATION OF BEST PRACTICES.—The
20 Secretary shall disseminate best practices on the imple-
21 mentation of accountability and assessment systems, in-
22 cluding on—

23 “(1) strategies that States used to accelerate
24 mastery of State standards and aligned com-

1 petencies to close achievement gaps and increase
2 readiness for college and career;

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

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

