

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of EducationJuly 2018 AgendaItem #03

## Subject

California Assessment of Student Performance and Progress: Request for Authority to Enter into Negotiations to Amend Educational Testing Service’s California Assessment of Student Performance and Progress Contract to Include the Integration of the English Language Proficiency Assessments for California and Enter into Negotiations with the University of California, Santa Cruz for an Interagency Agreement to Provide an Educator Reporting System.

## Type of Action

Action, Information

## Summary of the Issue(s)

Currently, Educational Testing Service (ETS) administers the English Language Proficiency Assessments for California (ELPAC) on behalf of the California Department of Education (CDE) pursuant to a contract that is set to expire December 31, 2020. The 2018–19 Budget Act appropriated $54.334 million to transition the paper-pencil test (PPT) for ELPAC to a computer-based assessment (CBA) and to develop an Alternate ELPAC CBA for students with significant cognitive disabilities. Recent amendments to the California *Education Code* (*EC*) Section 60810, adopted with the passage of the 2018–19 Budget Act, permit the CDE to contract for this work by amending the current California Assessment of Student Performance and Progress (CAASPP) contract to include the ELPAC work so that both the CAASPP and ELPAC work would be covered in a single contract. Moreover, as set forth in amendments to *EC* Section 60643(b), the CDE shall develop and the State Superintendent of Public Instruction (SSPI) and the California State Board of Education (SBE) shall approve a contract or contracts for the purpose of administering both the CAASPP and ELPAC. Contract amendments that increase contract costs may be made only with the approval of the CDE, the SBE, and the Department of Finance (DOF).

The CDE is recommending that the SBE give approval to the CDE to enter into negotiations with ETS to amend the current CAASPP administration contract to include integration of the ELPAC. The CDE envisions that the Scope of Work (SOW) of such amended contract to consist of administration of the PPT ELPAC, conversion of the ELPAC from a PPT to a CBA, and development of a computer-based Alternate ELPAC for students with significant cognitive disabilities. The CDE also proposes that the amended contract would include extending the end date of the current CAASPP contract by an additional two years, from December 31, 2020, through December 31, 2022, to allow ETS to administer, score, and report the 2018–19, 2019–20, 2020–21, and 2021–22 CAASPP and ELPAC testing administrations.

In addition, *EC* Section 60602.6 was added in 2016 to provide that all California CBAs utilize the same technology infrastructure in an effort to minimize impact on teachers, administrators, and state resources. Therefore, the CDE brings to the SBE a request for authorization to enter into negotiations with the University of California, Santa Cruz (UCSC) for a separate interagency agreement to provide an educator reporting system for the ELPAC and other CAASPP assessments as appropriate. The reporting system would be the same reporting system that is already being used by local educational agencies (LEAs) to access results from the Smarter Balanced Interim Assessments—a well-received reporting system that allows LEA staff to access and download electronic student test results and data files in a user-friendly format.

## Recommendation

For the incorporation of the ELPAC into the CAASPP contract, the CDE recommends the following:

* Direct the CDE, in consultation with SBE and DOF staff, to negotiate an amendment of the current ETS CAASPP administration contract to include work related to administering the ELPAC. The amended contract would include both the ELPAC and CAASPP 2018–19, 2019–20, 2020–21, and 2021–22 testing administrations, thus extending the current CAASPP contract date for two additional years through December 31, 2022. It also would include, but not be limited to, addressing the following activities in the amended SOW:
	+ Activities associated with transitioning the Initial and Summative ELPAC from a PPT to a CBA (with student and test examiner interfaces where applicable)
	+ Ongoing administrations of the PPT ELPAC until the ELPAC CBA transition is complete
	+ Activities associated with developing the Alternate ELPAC CBA for eligible students according to their individualized education programs
	+ Ongoing administration of all components of the CAASPP System through the 2021–22 school year
	+ Activities associated with transitioning the two separate assessment systems into one to ensure efficiencies, including but not limited to single sign-on
* Direct the CDE to present a draft contract amendment, consistent with these recommendations, to the SBE for consideration no later than November 2018.

For the interagency agreement with UCSC, the CDE recommends the following:

* Direct the CDE to enter into negotiations with UCSC for an interagency agreement to provide an open-source educator reporting system for the ELPAC and other assessments as appropriate.
* Present a draft interagency agreement, consistent with these recommendations, to the SBE for consideration no later than November 2018.

The final negotiated budgets for both ETS and UCSC will not exceed $279,862,456.

## Brief History of Key Issues

When California transitioned to the CAASPP in 2014, a top priority was to use, to the greatest extent possible, the same technology infrastructure for all online assessments within the statewide student assessment system. To ensure that new online assessments, such as the ELPAC, would be developed using the same technology infrastructure, *EC* Section 60602.6 was added in 2016. This addition to the *EC* provides for the ELPAC to eventually be administered via a CBA format. It states:

It is the intent of the Legislature that the department minimize the impact to teachers and administrators and state resources by ensuring, where feasible, that future California computer-based assessments utilize the assessment delivery system infrastructure and hosting platform outlined in the Smarter Balanced Technical Hosting Solution, as approved by the Department of Technology for the statewide pupil assessment system. All computer-based statewide assessments, to the extent possible and most cost-effective, shall be developed to operate on the existing approved infrastructure, provide a single logical access point, support a single secure browser for remote and local access, and utilize uniform system development standards. The assessment delivery system infrastructure shall be scalable in nature to allow the department to incorporate additional computer-based statewide assessments as funded.

## English Language Proficiency Assessments for California Transition

In June 2016, the CDE requested that the ELPAC contractor, ETS, conduct a study on the transitioning of the ELPAC from a PPT to a CBA. In March 2017, the CDE and the ELPAC Technical Advisory Group reviewed the study. In addition, the study was shared with various stakeholder groups in spring 2017 (e.g., Regional Assessment Network, Bilingual Coordinators Network, and the California Assessment Stakeholder group), who also viewed the potential transition of the ELPAC from a PPT to a CBA as a step in the right direction. Subsequently, the CDE submitted a June 2017 Information Memorandum, informing the SBE about the recommendations of the study, which is located on the CDE Web site at <https://www.cde.ca.gov/ta/tg/ep/>.

The study identified many advantages to providing an English language proficiency (ELP) CBA:

* Provides for a standardized administration, improving the reliability of the assessment
* Enables faster turnaround of scoring and reporting
* Elicits more real-life language from test takers through the use of technology to develop authentic tasks
* Increases the availability of online accessibility resources which may help students better access the test items

Assessing existing English learners and newcomers on an electronic device has been shown to be a viable manner for assessing students as demonstrated by nationwide ELP assessment consortia, namely English Language Proficiency Assessments for the 21st Century (ELPA21) and World-class Instructional Design and Assessment (WIDA). With this information, the CDE can leverage lessons learned from the CBA development of ELPA21 and WIDA in designing and administering its own CBA.

Based on the changes to *EC* Section 60602.6*,* the support from stakeholders, and the advantages of transitioning the ELPAC to a CBA, as well as the approved funding in the Governor’s budget, the ELPAC can now transition to a CBA.

### Developing the Alternate English Language Proficiency Assessments for California

Per *Code of Federal Regulations*, Title 34, Section 200.6(h)(5) of the Every Student Succeeds Act, and guidance from the U.S. Department of Education, “A State must provide for an alternate English language proficiency assessment for each English learner…who cannot participate in the [ELP] assessment...even with appropriate accommodations.” Up until this time, the CDE has not had a statewide alternate ELP assessment. The funding allocated in the Governor’s budget will enable the CDE to develop the computer-based Alternate ELPAC to meet the needs of eligible English learners.

The CDE will leverage its knowledge and experience with developing and administering the current California Alternate Assessments (CAAs), which allow both student and test examiner to interface with the electronic device used for testing. This allows students who are unable to interact with the electronic device to fully participate in the assessment and take advantage of the accessibility resources of a CBA.

### California Assessment of Student Performance and Progress Contract Amendment

ETS and its subcontractors have implemented systems and applications that have brought stability to the CAASPP technology infrastructure. In this fourth year of operational CAASPP testing, more that 13 million tests have been successfully administered to over three million students by means of a system that has been able to manage 571,000 concurrent users. Due to the complexity of assessment delivery systems, utilizing a stable technology infrastructure, such as the CAASPP System, is an efficient and a cost-effective approach for including the ELPAC rather than contracting for the development of a separate system. Using the current CAASPP technology infrastructure will benefit the transition of ELPAC to a CBA and will benefit LEAs by expanding on a familiar, stable, and successful system.

### Proposed Interagency Agreement for an Educator Reporting System

A key goal of the CDE’s long-term technology plan for a comprehensive assessment system is to use, to the greatest extent possible, the same technology infrastructure for all online statewide assessments. This goal is consistent with the objective of *EC* Section 60602.6 (see Brief History of Key Issues).

In pursuit of this goal, the CDE seeks approval from the SBE to enter into negotiations with UCSC for an interagency agreement to provide, for the ELPAC, an educator reporting system. The four-year interagency agreement is proposed to commence in November 2018. The agreement will strengthen the California online assessment system by providing an open-source educator reporting system for the ELPAC that is already being used by LEA staff to access results from the Smarter Balanced Interim Assessments. This reporting system has been extremely well received by California educators in the nearly 1,600 LEAs that are using it to access results from the Smarter Balanced Interim Assessments. The reporting system would be extensible to support additional assessments.

The use of open-source components will allow California to use the same system across multiple vendors while also allowing California and its contractors to contribute to the continued enhancement of the products. The proposed plan calls for the reporting system to launch first for the ELPAC, followed by the CAASPP assessments.

## Summary of Previous State Board of Education Discussion and Action

In May 2018, the CDE provided the SBE with updates on the CAASPP System (<https://www.cde.ca.gov/be/ag/ag/yr18/documents/may18item03.docx>).

In May 2018, the SBE approved the Initial ELPAC operational assessment threshold scores and composite weights (<https://www.cde.ca.gov/be/ag/ag/yr18/agenda201805.asp>).

In March 2018, the CDE provided the SBE with updates on the CAASPP System (<https://www.cde.ca.gov/be/ag/ag/yr18/documents/mar18item08.docx>).

In January 2018, the SBE approved the CAA for Science test blueprint, general achievement level descriptors (ALDs), and score reporting structure (<https://www.cde.ca.gov/be/ag/ag/yr18/agenda201801.asp>).

In December 2017, the CDE provided the SBE with an Information Memorandum that included updates on the CAASPP System

(<https://www.cde.ca.gov/be/pn/im/documents/memo-pptb-adad-dec17item01.doc>)

(<https://www.cde.ca.gov/be/pn/im/memo-pptb-adad-dec17item01a01.asp>).

In November 2017, the SBE approved the Summative ELPAC operational assessment threshold scores, composite weights, and LEA apportionment rates (<https://www.cde.ca.gov/be/ag/ag/yr17/documents/nov17item08.doc>).

In November 2017, the SBE approved the California Science Test and California Spanish Assessment (CSA) test blueprints, general ALDs, and score reporting structures (<https://www.cde.ca.gov/be/ag/ag/yr17/agenda201711.asp>).

In October 2017, the CDE provided the SBE with an Information Memorandum that included updates on the CAASPP System

(<https://www.cde.ca.gov/be/pn/im/documents/memo-pptb-adad-oct17item02.doc>).

In June 2017, the CDE provided the SBE with an Information Memorandum regarding the study for the ELPAC’s potential transition to a CBA (<http://www.cde.ca.gov/be/pn/im/infomemojun2017.asp>).

In September 2016, the SBE approved the CSA high-level test design (HLTD), including the test purpose (<https://www.cde.ca.gov/be/ag/ag/yr16/agenda201609.asp>).

In July 2016, the SBE approved the CAA for Science HLTD (<https://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item01.doc>).

In January 2016, November 2015, and September 2015, the CDE provided the SBE with updates on the California Next Generation Science Standards (CA NGSS) assessments

(<https://www.cde.ca.gov/be/ag/ag/yr16/documents/jan16item03.doc>)

(<https://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item03.doc>)

(<https://www.cde.ca.gov/be/ag/ag/yr15/documents/sep15item01.doc>).

In July 2015, June 2015, and May 2015, the CDE provided the SBE with updates on the CA NGSS assessments

(<https://www.cde.ca.gov/be/ag/ag/yr15/documents/jul15item03.doc>)

(<https://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-jun15item03.doc>)

(<https://www.cde.ca.gov/be/ag/ag/yr15/documents/may15item02.doc>).

In May 2015, the SBE designated ETS as the CAASPP contractor for the 2015–16, 2016–17, and 2017–18 test administrations, including the test development, pilot testing, and field testing of three new CA NGSS science assessments (including the CA NGSS alternate assessment for students with the most significant cognitive disabilities) in the grades and content areas to be approved by the SBE. This included a new primary language assessment aligned with the Common Core State Standards

(<https://www.cde.ca.gov/be/ag/ag/yr15/documents/may15item01.doc>).

## Fiscal Analysis (as appropriate)

Upon approval by the SBE, the CDE will enter into negotiations, in conjunction with SBE and DOF staff, with ETS to amend the CAASPP administration contract to include the administration of the current paper-pencil ELPAC, the work to develop the computer-based ELPAC and the Alternate ELPAC, and the work to administer the 2018−19, 2019–20, 2020–21, and 2021–22 test administrations for both the ELPAC and CAASPP tests. CAASPP contract amendments that increase contract costs may be made only with the approval of the CDE, the SBE, and the DOF.

Upon approval by the SBE, the CDE will enter into negotiations with UCSC for a four-year agreement for UCSC to provide an educator reporting system for California assessments, including the ELPAC.

The 2018–19 Budget Act provides $54,334,000 in funding for contract activities to administer the current PPT ELPAC and to develop the computer-based ELPAC and the Alternate ELPAC. The proposed amendment of the ETS CAASPP administration contract will increase the overall CAASPP contract costs by an amount to be determined through negotiations. The contract costs for the four-year contract with UCSC also will be determined through negotiations. The final negotiated budgets with ETS and UCSC will not exceed $279,862,456—the total cost estimate for all years.

The overall cost estimate of $279,862,456 was determined by evaluating the current CAASPP administration contract costs for the 2019–20 administration, the 2018–19 budget appropriation for ELPAC, and the anticipated contract cost for ELPAC for fiscal year 2019–20 and annually thereafter. Funding for 2019–20 and beyond will be contingent on an annual appropriation being made available from the California State Legislature in future fiscal years.

## Attachment(s)

None.