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June 22, 2022

Mao Vang:

This serves as official notice, pursuant to section 5 of the Memorandum of Understanding (MOU), that the Smarter Balanced Governing Board approved changes to the membership fee structure. This streamlined membership fee structure, as presented during the April 12 K-12 Lead meeting, helps set the course for Smarter Balanced to not only simplify the fee structure for all members, but to also preserve our ability to enhance our system to continue to respond to member needs, and to sustain the consortium long-term.

Since Governing Board approval, Smarter Balanced staff have worked to prepare documentation reflecting the fee reduction in Exhibits B and C, as provided in the MOU. As described, these changes include: 1) calculation of annual fees based on enrollment numbers of tested grades on a fiscal year basis to be paid on a monthly basis; 2) fee adjustments available for optional/additional high school testing, but fee adjustments based on actual number of tested students in accountability grades (grades 3-8, one grade of high school) eliminated; and 3) adjustments as reflected in the enclosed Exhibits B and C.

Pursuant to section 5 of the MOU, enclosed please find the revised Exhibit B and Exhibit C reflecting the Governing Board approved changes to the fee structure. Please let me know if you have any questions or if anything does not comport with California Department of Education's understanding and agreement.

Sincerely,

A handwritten signature in black ink that reads "Christyan Mitchell". The signature is written in a cursive, flowing style.

Christyan Mitchell

Executive Operating Officer

MEMORANDUM OF UNDERSTANDING AND AGREEMENT

EXHIBIT B TO MOU

Products and Services; Additional Member Benefits

The Products and Services (as defined in the Memorandum of Understanding to which this Exhibit B is attached) available to Member consist of the following, in addition to those obligations of UC described in the MOU. Any capitalized terms used but not defined in this Exhibit B will have the meanings given to them in the MOU.

Assessment Packages

Complete: the “complete” package includes summative assessments for grades 3 – 8 and grade 11, and formative and interim assessments for grades K – 12.

Fee Structure (revised, approved by the Governing Board April 27, 2022)

- Membership affords access to the full system of dynamic tools:
 - Summative Assessments, Interim Assessments, Tools for Teachers, and reporting system for ELA/Literacy and mathematics.
- The transition to the new per student rate will be:
 - Indiana, Michigan, and Oregon:
 - FY23: \$7.00
 - FY24: \$8.00
 - FY25: \$9.00
 - For all other states: \$9.00, starting FY23
 - For rate for additional high school testing*: \$2.90 starting in FY23
- The per student rate will be adjusted in the future according to the two year average rate of inflation cited by the U.S. Bureau of Labor Statistics, no sooner than FY26.
- Student Count Collection:
 - Grades 3-8, high school: Use 99% of latest published NCES enrollment data, as of February each year.
 - No reconciliation, but testing counts are needed for copyright accounting
 - Student counts will be capped at 1M students.
 - Private school testing can be added to Exhibit C
 - Additional high school:
 - Additional high school counts can be added to Exhibit C
 - Reconciliation of actual testing

General Operations and Membership Services

- SB will provide oversight of the maintenance and operations of the Assessment System.
- SB will provide technical support services for the Assessment System.
- SB will provide project management, including detailed project timelines, for the delivery of the Assessment System and the Products and Services described herein.
- SB will provide general communication tools and templates and communication materials translated into additional languages supported by the Assessment System.
- SB will establish, operate, maintain and update the SB Website.
- SB will provide “Tier-1” help desk support for State Assessment Directors and Chiefs or their designees.

Assessment and Item Design

- SB will maintain and enhance the assessment design by facilitating expert reviews consistent with the Association of Test Publishers (ATP)/Council of Chief State School Officers (CCSSO) best



practices and the joint National Council on Measurement in Education (NCME), the American Educational Research Association (AERA) and the American Psychological Association (APA) standards for educational testing.

- SB will compile, submit and revise as necessary, for the standard SB products and services, documentation sufficient to address the requirements of the U.S. Department of Education standards and assessment peer review or equivalent large-scale assessment technical review.
- SB will design and conduct validity studies based on the priority order established by the Governing Board.
- SB will maintain and facilitate approved changes to test blueprints that describe the attributes of the assessment for each grade and content area.
- SB will maintain documentation regarding the item development process, including but not limited to, an external, independent review of item specifications, and external, independent reviews of items including content, sensitivity and bias, and accessibility reviews.
- SB will obtain and maintain permissions and copyrights for passages, written materials, graphics, photos, and other related stimuli.
- SB will maintain a research-based list of accommodations and publish annually a set of accommodations guidelines that support valid test results for all students including students with disabilities and English language learners.
- For fiscal years 2014-2015, 2015-2016 and 2016-2017, SB will develop blueprint test booklets in accordance with specifications provided by the Governing Board. These blueprint forms will be available for each of the grades 3-8 and grade 11 summative assessments in English language arts/literacy and Mathematics, as follows:
 - For English language arts/literacy, the forms will be available in English; and
 - For Mathematics, the forms will be available in English and also in an English/Spanish side-by-side format.
- SB will maintain specifications for an adaptive algorithm.

Interoperability and Certification Assistance

- SB will maintain interoperability standards for items, test registration, and student results for the Assessment System.
- SB will provide a certification process and implementation of certification services to verify each Member State has followed the processes for administering and processing the assessments as established by SB.
- SB will provide a certification process to affirm that Members have followed SB procedures.

Applications Development and Maintenance

- SB will maintain an item banking/item authoring tool, test administration application, digital library and data warehouse/reporting application.
- SB will facilitate an annual membership review of applications to prioritize enhancements.
- SB will sponsor application enhancements based on Members' priorities.
- SB will provide expert consultation to Members regarding the assessment delivery application.

Reporting Services

- SB will produce standardized reports for assessment results.
- SB will provide aggregate reporting at the SB, local education agency, school, and grade level, disaggregated by standard categories.
- SB will publish an annual technical report regarding the Assessment System on a state-by-state basis.

Optional Services

- SB will offer hosting for a digital library that supports formative assessment practices and tools.



- SB will offer access to an interim assessment item bank developed using procedures approved by SB.

Additional Member Benefits

In addition to the Products and Services described above, Member's payment of Annual Fees will entitle Member to the following:

- SB will pay the travel expenses for Member's Program Lead and another representative of Member's agency to attend up to two collaboration conferences per fiscal year, such payment to be made consistent with the applicable travel and expense policies of Member's agency and of UC.
- SB will support the Governing Board and Member's participation thereon with appropriate infrastructure (e.g., conference lines, web conferencing, and meeting management services)



Member CA

**Exhibit C to MOU:
Member Annual Fee Worksheet for FY 2022-23
*Due June 1, 2022***

Below in Section 1 are the student counts from the NCES 2021 enrollment data. Please feel free to verify or add counts for add private school testing. Please add any private school testing counts to Line 1 and 2, as appropriate. Further below in Section 3, you will see the calculation for optional high school testing. Please use this worksheet to calculate your overall fees.

1. Student enrollment

A: Students enrolled in Grades 3-8 in 2020-21	Line 1	2,709,447
B: Students enrolled in Grade 11 for 2020-21	Line 2	480,526
C: SUM of Line 1 and Line 2 on Line 3	Line 3	3,189,973
D: Adjustment to 99% enrollment (99% of Line 3)	Line 4	3,158,073.27
E: "Billable Students" Total Capped at 1,000,000	Line 5	1,000,000

2. The per student fee:

Includes Summative (Gr. 3-8 & 11) Includes Interim (Grades K thru 12) Formative (Grades K thru 12)	Per Student Fee \$9.00
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Per Student Fee multiplied by Total Enrollment shown in Line 5 Line 6 align="right">**\$9,000,000.00**

G: Do you plan to use the secure item pool for additional tests your state will give to students in Grades 9, 10, 11 and/or 12?	No	STOP. Your TOTAL FEE is shown in Line 6
	Yes	Continue to Step H

3. (Optional) Calculate fee for additional high school testing

H: Enter the TOTAL TEST EVENTS for English language arts/Literacy for Grades 9 through 12 on Line 7a	Line 7a	_____
Enter the the TOTAL TEST EVENTS for Mathematics for Grades 9 through 12 on Line 7 b	Line 7b	_____



Member CA

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I: Multiply Line 7a by \$2.90 and enter the amount on Line 8a
Multiply Line 7b by \$2.90 and enter the amount on Line 8b

Line 8a _____

Line 8b _____

J: Enter the sum of Lines 8a and 8b on Line 9. This is the fee for your additional HS testing.

Line 9 _____

K: Total Annual Fee
Enter the sum of Lines 6 and 9 on Line 10. This is your TOTAL FEE.

Line 10 _____

1. Provide Agency information...

State/Educational Agency Name _____

Representative Name _____

Date Submitted _____

Please complete and submit form to: invoice@smarterbalanced.org