

TESTIMONY ON SB 2028
HOUSE EDUCATION COMMITTEE
March 1, 2023
By: Stanley Schauer, Director of Assessment
701-328-2224
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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regarding math and reading progress of our students and their inability to do so with incomplete data, SB 2141 (2021) repealed 15.1-21-17 (Section 9).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.