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July 14, 2014 (moved from June 2014 meeting)

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Travis Dulany

**RE: STAFF REPORT: PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS (PARCC)**

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**INTRODUCTION**

In September 2010, the US Department of Education announced that two testing consortia – the Partnership for Assessment of Readiness for College and Careers (PARCC) and the Smarter Balanced Assessment Consortium (SBAC) – would receive a total of \$330 million in Race to the Top Assessment Program (RTAP) funding “to develop a new generation of tests” that would be “aligned to the higher standards that were recently developed by governors and chief state school officers.”

Although initially a member of the SBAC in 2010, New Mexico joined the PARCC testing consortium in 2011. The PARCC exam is scheduled to be administered for English/language arts and mathematics in school year 2014-2015.

In order to keep the Legislative Education Study Committee (LESC) apprised of this effort, this staff report includes information regarding:

- the Race to the Top Assessment Program;
- New Mexico’s transition from SBAC to PARCC; and
- PARCC consortium updates.

## **RACE TO THE TOP ASSESSMENT PROGRAM**

Authorized under the *American Recovery and Reinvestment Act of 2009*, the RTAP provided funding to the two consortia of states:

“to develop assessments that are valid, support and inform instruction, provide accurate information about what students know and can do, and measure student achievement against standards designed to ensure all students gain the knowledge and skills needed to succeed in college and the workplace.”

According to a September 2010 announcement, the two consortia that received funding were SBAC, which received \$160 million, and PARCC, which received \$170 million.

The eligibility requirements to receive these awards specified that applicants must:

- include a minimum of 15 states, of which five states must be governing states;
- identify in its application a proposed project management partner and provide an assurance that the proposed management partner is not partnered with any other eligible applicant;
- submit assurances from each state in the consortium that, to remain in the consortium, each state will “adopt a common set of college- and career-ready standards...and common achievement standards”; and
- ensure that the summative assessment developed by the applicant will be fully implemented statewide in each state in the consortium no later than school year 2014-2015.

Additionally, in order to receive funding, the assessment systems developed by the consortia were required to:

- include one or more summative assessments in English/language arts and mathematics for grades 3-8 and one year in high school;
- produce student achievement data and student growth data that can be used to determine whether individual students are college- and career-ready or on track to being college- and career-ready;
- assess all students, including English learners and students with disabilities; and
- produce data that can be used to inform determinations of school effectiveness; individual principal and teacher effectiveness for purposes of evaluation; principal and teacher professional development and support needs; and teaching, learning, and program improvement.

## **NEW MEXICO’S TRANSITION FROM SBAC TO PARCC**

In August 2011, the LESC received correspondence from Secretary-designate Hanna Skandera explaining New Mexico’s transition from the SBAC to PARCC. In that letter, the Secretary-designate stated that PARCC’s goals better align with New Mexico’s education policy goals because the:

- PARCC consortium’s requirement of multiple through-course assessments aligns to the Governor’s vision for increasing the usefulness and reliability of assessments;
- possibility for multiple annual assessment requirements will ensure that teachers receive timely and meaningful information to help guide instruction;
- ability to assess all students in grades 3-12 will provide accurate measures of student achievement and teacher growth for each grade; and
- SBAC only provides one assessment at the high school level, and PED believes that the PARCC consortium will provide a better fit for New Mexico’s needs.

## **PARCC CONSORTIUM UPDATES**

### *Current Status*

The PARCC assessment consortium is currently made up of the District of Columbia and 13 states, which PARCC estimates represent more than 15 million elementary, middle, and high school students. The governing states include:

1. Arkansas;
2. Colorado;
3. Illinois;
4. Indiana;
5. Louisiana;
6. Maryland;
7. Massachusetts;
8. Mississippi;
9. New Jersey;
10. New Mexico;
11. New York;
12. Ohio; and
13. Rhode Island.

In addition, Pennsylvania is a “participating state,” which, according to PARCC, provides staff to serve on PARCC’s design committees, working groups, and other task forces. By school year 2014-2015, according to PARCC, a state that remains in PARCC, including participating states, must commit to statewide implementation and administration of PARCC’s assessment system.

PARCC began to design its assessment aligned with the Common Core State Standards in school year 2010-2011, with expected full implementation of the test in school year 2014-2015. The test will be administered in two phases, with:

- a performance-based assessment approximately 75 percent into the school year; and
- an end-of-year summative assessment administered approximately 90 percent into the school year.

Sample items for the PARCC test currently can be found online at the following web address: <http://practice.parcc.testnav.com/#>.

## ***Membership Shifts***

New Mexico's decision to change its testing consortium in 2011 is not unique. Since the RTAP awards were announced, states have been moving between the two assessment consortia, participating in both consortia, or withdrawing from the consortia all together.

Significantly, in September of 2013, Florida, which served as the fiscal agent for PARCC, announced that the state would be withdrawing from the PARCC consortium; Maryland subsequently took over responsibility as PARCC's fiscal agent, effective January 1, 2014. Florida has since contracted with the American Institutes for Research (AIR) to produce Florida's next statewide exam.

More recently, on May 30, 2014, Arizona announced that the state was withdrawing from PARCC, stating that "the withdrawal is necessary to maintain integrity in the Request for Proposals (RFP) process" and that PARCC will be able to compete for the state's contract along with any other vendor.

## ***Vendor Selection***

On May 2, 2014, PARCC announced the selection of Pearson – along with a group of subcontractors including Educational Testing Service, WestEd, Measured Progress, and Caveon – to continue to develop and implement the summative assessment portion of the PARCC exam. Citing the use of a competitive bidding process, PARCC stated that the estimated cost to develop and implement the test will be under \$24 per student for computer-based versions of the test, an amount lower than the previously estimated cost of \$29.50 and lower than the median cost of PARCC states' current tests. The *Washington Post* reports that Pearson was the only bidder for the contract.

According to PARCC, the contract includes development of test items and forms; delivery of tests in paper-based and computer-based formats; reporting results to states, districts, schools, educators, parents, and students; analysis of scores to ensure they reflect college- and career-readiness; and coordination with the states in the development of cut scores to establish performance levels.

## ***American Institutes for Research (AIR) Protest and Lawsuit***

The PARCC assessment RFP that lead to the contract with Pearson was released through the New Mexico General Services Department (GSD) on November 14, 2013. According to *Education Week*<sup>1</sup>, AIR filed a protest<sup>2</sup> to PED in December of 2013, citing objections to the RFP. For example, according to *Education Week*, AIR argued that the RFP created a "bundling of work" that unfairly restricts competition. The bundling of work favors Pearson, AIR claimed, because it would rely on a content delivery platform already developed by Pearson for the PARCC tests. Ultimately, AIR stated, that arrangement would result in vendors other than Pearson having to design an assessment system and estimate costs of the work with only vague

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<sup>1</sup>[http://blogs.edweek.org/edweek/marketplacek12/2014/05/american\\_institutes\\_for\\_research\\_challenges\\_pearson\\_common-core\\_testing\\_award\\_in\\_court.html](http://blogs.edweek.org/edweek/marketplacek12/2014/05/american_institutes_for_research_challenges_pearson_common-core_testing_award_in_court.html)

<sup>2</sup> See § 13-1-172 NMSA 1978

information. According to *Education Week*, AIR has stated that the company would have made an official bid for the assessment contract if they had thought the process was fair, but ultimately did not believe the company had a legitimate chance to win.

*Education Week* also reports that AIR was informed that their protest was invalid because it had not been sent to the State Purchasing Division in a timely manner (AIR initially submitted the protest to PED instead of the State Purchasing Division). AIR subsequently filed suit in the New Mexico First Judicial District Court in Santa Fe on January 17, 2014. On May 27, 2014, the district judge issued a decision remanding the matter to GSD with “instructions to delay any further processing of the contract until [the] protest can be timely heard and determined on its merits.” This decision noted that there was “substantial compliance” with provisions in current law regarding proper parties with whom one is required to file a protest, and the protest therefore should be considered on its merits.