



## UNITED STATES DEPARTMENT OF EDUCATION

February 2, 2016

Dear Chief State School Officers,

I am writing to follow up on [President Obama's Testing Action Plan](#) (Plan) released in October 2015. In that plan, the Obama Administration described the important role that assessments play as tools to support learning and promote equity, and to measure progress and improve outcomes for our nation's students. At the same time, the Administration acknowledged that an overemphasis on testing and test preparation has placed a burden on classroom time. The Plan encourages States and school districts to tackle instances where students spend too much time taking standardized tests, as well as instances where such tests are redundant or fail to provide useful information. The Administration is committed to supporting States, districts, and schools in administering high-quality and fair assessments that take up the minimum necessary time, and reflect the expectation that all students will graduate college- and career-ready.

As you are aware, the President recently signed the Every Student Succeeds Act (ESSA), which reauthorizes the Elementary and Secondary Education Act and revises many of the provisions from the No Child Left Behind Act of 2001 (NCLB). Most provisions of ESSA do not take effect until after the 2016-2017 school year, so States currently are operating under the rules in place prior to the enactment of ESSA. Today, as promised in October, the U.S. Department of Education (ED) is providing additional guidance about how existing Federal funds under NCLB, and still in effect at least through the 2016-2017 school year, may be used to eliminate redundancy and ensure efficacy and quality of assessments. This guidance reflects the statutory and regulatory provisions that States are currently operating under. We plan to issue revised guidance with regard to funds that are made available for the 2017-2018 school year under the provisions of the Elementary and Secondary Education Act as amended by ESSA.

### Testing in the Every Student Succeeds Act

While this guidance addresses use of funds under NCLB, as implementation of the Every Student Succeeds Act (ESSA) moves forward, ED will provide clarification about how funds under the reauthorized ESEA programs can be used to support these activities as well. The bipartisan ESSA takes additional steps to support smart, effective assessments and to reduce overtesting, including efforts to encourage States to limit classroom time spent on statewide standardized testing and to strive for continued improvement and innovation in assessments. The Act maintains important statewide assessments to ensure that teachers and parents can mark the progress and performance of their children every year from third to eighth grade and once in high school. The ESSA encourages a smarter approach to testing by moving away from a sole focus on standardized tests to drive decisions around the quality of schools, and by allowing for the use of multiple measures of student learning and progress, along with other indicators of student success, to make school accountability decisions. It also includes

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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

support for State efforts to audit and streamline their current assessment systems, and to pilot innovative assessment methodologies. The Administration looks forward to implementing the ESSA in a manner that better assists States and school districts in addressing the challenge of overtesting.

### Principles for Good Assessments

The Administration's Testing Action Plan provides a set of key principles and steps to help States and districts reduce overtesting by eliminating unnecessary and low-quality assessments while protecting the vital role that good assessments play in measuring student progress each year so parents and teachers have the best information — thus improving outcomes for all learners and ensuring equity. As described in more detail in the Plan, every assessment should be:

- ***Worth taking***: Assessments should be aligned with the content and skills a student is learning, require the same kind of complex work students do in an effective classroom and the real world, and provide timely, actionable feedback. Assessments that are low quality or redundant should be eliminated.
- ***High quality***: Assessments should measure student knowledge and skills against the full range of State-developed college- and career-ready standards in a way that elicits complex student demonstrations of knowledge, and provide an accurate measure of student achievement and growth.
- ***Time-limited***: States and districts must determine how to best balance instructional time and the need for high-quality assessments by considering whether each assessment serves a unique, essential role in ensuring all students are learning.
- ***Fair – and supportive of fairness – in equity in educational opportunity***: Assessments should provide fair measures of what all students, including students with disabilities and English learners, are learning. As one component of a robust assessment system, States should administer key assessments statewide to provide a clear picture of which schools and students may need targeted interventions and supports.
- ***Fully transparent to students and parents***: States and districts should ensure that students and parents have information on required assessments, including (1) the purpose; (2) the source of the requirement; (3) when the information about student performance is provided to parents and teachers; (4) how teachers, principals, and district officials will use student performance information; and (5) how parents can use that information to help their child.
- ***Just one of multiple measures***: No single assessment should ever be the sole factor in making an educational decision about a student, an educator, or a school.
- ***Tied to improved learning***: In a well-designed testing strategy, assessment outcomes should be used not only to identify what students know, but also to inform and guide additional teaching, supports, and interventions.

States and districts should consider the full range of the assessments they are currently administering to determine whether each assessment meets the principles outlined above. States and districts should also consider what supports or resources need to be put in place so that educators and families can use the results from the high-quality assessments.

### Use of Federal Funds to Address Testing Issues

States and districts may be able to use current Federal formula grant funds under the ESEA to conduct assessment audits in order to take stock of the full range of assessments currently being administered to students and to improve the use of the results from high-quality assessments so that educators and families can better understand student learning needs and help them make progress.

The enclosed document provides some examples of how funds from certain ESEA programs may support States and districts in conducting assessment audits and developing systems to support the use of assessment results to improve teaching and learning during the 2015–2016 and 2016–2017 school years. Although the examples are limited to the use of funds under Titles I-A, II-A, III, and VI of the ESEA, other sources of funds may also be allowable. The examples illustrate opportunities for States and districts to use Federal funds, in consultation with educators, parents, and other stakeholders, to ensure that the assessments that are being administered are worth taking, including: (1) conducting assessment audits, and eliminating low-quality or redundant assessments; (2) facilitating professional development for educators to enhance the use of assessment results (including performance-based assessments) to improve instruction; (3) increasing transparency and timeliness of information for students and parents; and (4) improving the quality of assessments (including replacing low-level test items with high-quality performance tasks). The responsibility to provide needed accommodations to students with disabilities so that testing shows what they know rather than reflects the limitations of a disability is unchanged and is not conditioned on any particular source of funds.

ED has identified promising practices in several States and districts, and more information about each is available at: <http://sites.ed.gov/progress/>. Additionally, ED is interested in providing support to help you in these efforts. Toward that end, we are establishing open office hours for interested States to ask questions about the Administration’s Testing Action Plan, the case studies of activities being undertaken by States and districts, and this guidance. If you are interested in signing up for the office hours or have any questions, please do not hesitate to contact your State’s program officer in ED’s Office of State Support.

It is my hope that the examples and other information provided in the enclosed document will be helpful in your efforts to reduce unnecessary testing and to promote fewer and smarter assessments.

Sincerely,

/s/

John B. King, Jr.  
Acting Secretary of Education

Enclosure

cc: Title I directors  
Title II directors  
Title III directors  
State Assessment Directors  
State Directors of Special Education

*Other than statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.*

## **Examples of Leveraging ESEA Funds to Support Fewer, Smarter High-Quality Assessments**

The examples below highlight how a grantee can use current Federal funds to support fewer, smarter, high-quality assessments consistent with the Administration's Testing Action Plan. These examples identify some of the ways in which grantees may use funds made available under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), to support teaching and learning through assessment audits, professional development, and communication to increase transparency and timeliness, and to improve the quality of assessments. Each Federal formula grant program has requirements that govern the use of funds, including allowable costs. As implementation of the Every Student Succeeds Act (ESSA) moves forward, ED will provide clarification about how funds under the reauthorized ESEA programs can be used to support these activities as well.

**Assessment Audits** – Federal funds may be used to support States and districts in auditing their assessment systems to review which assessments are given and for what purpose, and then to make decisions about whether to continue or revise particular assessments based on those findings. Groups such as the Council of Chief State School Officers and Achieve have developed resources for States and districts to conduct an audit of their assessments. These resources can be found at:

<http://www.ccsso.org/Documents/Comprehensive%20Statewide%20Assessment%20Systems%20-%20A%20Framework%20Final%206-24.pdf> and <http://www.achieve.org/assessmentinventory>.

### ***Conducting State and District Assessment Audits***

A State might use State assessment funds available under section 6111 of the ESEA (6111 funds) to conduct an audit, in collaboration with educators, of its statewide assessment system or to assist its districts in conducting audits of local systems. For example, a State might use 6111 funds to modify an existing audit tool or template so that it could be used across districts within the State to collect information about which assessments (*e.g.*, screening, diagnostic, formative, interim, benchmark) are given, for what purpose, how the results are used, and what, if any, action the State or districts should take as a result of this information (*e.g.*, eliminating developmentally inappropriate, duplicative, or low-quality assessments or those without a clear use).

A district might use ESEA Title II-A funds, consistent with the results of its local needs assessment, to conduct assessment audits designed to improve the quality of instruction and to help schools recruit and retain highly qualified teachers by reducing unnecessary or low-quality testing, thereby making their schools more attractive places to work.

**Supporting the Appropriate Use of Assessment Results** – A key aspect of the Administration's Testing Action Plan is not only reducing the number of unnecessary or low-quality assessments but also improving educators' understanding about test results and their ability to use the results to target resources and inform instruction. Federal funds may be used to improve teaching by supporting educators' efforts to remove unnecessary testing, to improve the usefulness of the assessments they give, and to use assessment results to improve teaching and learning for all students, including English learners and students with disabilities.

### ***Implementing Systems to Collect, Manage, and Analyze Assessment Data***

A district might reserve ESEA Title I-A funds off the top of its Title I allocation to help educators in Title I schools learn to manage and analyze student data in order to improve instruction and decision-making for school improvement efforts.

A Title I school operating a schoolwide program, to the extent it is consistent with its comprehensive needs assessment, might develop and implement a data system to track student progress on classroom- or district-based formative and interim assessments to provide educators with comprehensive information about each student's progress.

A district might use funds under ESEA Title III to analyze data from its annual English language proficiency assessment in order to tailor supports for individual English learners.

### ***Supporting Assessment Literacy***

A State or a district, consistent with its local comprehensive needs assessment, might use ESEA Title II-A funds to improve teaching in core academic subjects by providing professional development to educators regarding how to develop new items for formative and interim assessments that include performance tasks and items that require the same kind of complex work students do in the real world, and provide useful information to inform teaching and learning.

Similarly, a State or district might use Title II-A funds to support educators working together to analyze assessment data to improve teaching and learning. For example, working in professional learning communities, groups of teachers and school leaders might work together to examine the purpose of assessments, learn how to interpret the results of assessments in order to better understand student strengths and weaknesses, and then discuss how to use the data to improve classroom instruction and student outcomes.

A district might reserve ESEA Title I-A funds off the top of its Title I allocation to provide targeted information to teachers in Title I schools to better support the needs of low-achieving students by breaking down assessment results into discrete areas of strength and deficit and designing instructional modules to address specific deficits.

A State or district might use ESEA Title III funds to provide professional development to teachers of English learners to train these teachers to examine existing assessment items, or to develop new items for formative and interim assessments that are aligned to a State's English language proficiency standards, to provide useful information for teachers to help English learners increase both their English language proficiency and academic achievement in core academic subjects.

**Increasing Transparency and Timeliness** – Another key component of the Administration's Testing Action Plan calls for the provision of better and timely information to parents, educators, and the public about the purpose and use of tests, and information about how the assessments within the comprehensive system are worth taking, high quality, time limited, fair, and tied to improved learning. In addition, many individual student reports, which States and districts must provide to parents and families under Title I, do not always provide sufficient information about a student's strengths and weaknesses in order for parents and educators to effectively use the results to inform instruction. Federal funds may be used to enhance the timeliness and quality of communication among the State, districts, schools, educators, experts, and parents.

### ***Increasing Communications about the Purpose of Statewide Assessments***

A State might use 6111 funds to provide parents with information about which statewide assessments are required and for what purpose. For example, after completing an assessment audit, a State might use 6111 funds to produce an annual report or other communication to parents with a

description of each assessment their child will be given during the school year, for what purpose that assessment is given, and on what timeline the parents can expect to receive assessment results.

A Title I school operating a schoolwide program might use ESEA Title I-A funds to host an “assessment literacy” night to inform parents about the assessments their child will take and how the parents can use the results to better understand their child’s strengths and weaknesses in order to provide supports at home.

***Making Assessment Results More Usable and Understandable for Educators and Parents***

A State might use 6111 funds to improve the dissemination and quality of individual student interpretive, descriptive and diagnostic reports to allow educators and parents to understand and address the specific academic needs of students. For example, a State might use 6111 funds to translate assessment results into a more understandable format and to support the more timely dissemination of individual assessment results.

A district might reserve ESEA Title I-A funds off the top of its Title I allocation to: (1) prepare for educators and parents of students in Title I schools information, in an understandable format, that is specifically designed to relate assessment results to the needs of students in those schools and how instruction is being revised to raise achievement, and (2) provide to educators in Title I schools detailed information regarding student performance that allows them to target instruction to address the specific deficits identified by the assessment results.

**Improving the Quality of Assessments** – Program funds may be used to support the development and implementation of high-quality assessments and related accommodations that are valid and reliable, maximize instructional goals, and have a clear purpose and utility, and to eliminate those assessments that do not meet these goals.

***Increasing Validity and Reliability of Statewide Assessments***

A State might use 6111 funds to develop and improve the statewide assessments required under the ESEA to ensure these assessments remain valid, reliable, and aligned with the State’s challenging content and achievement standards. For example, a State might use 6111 funds to eliminate and replace out-of-date or unaligned assessment items and to support the development or administration of more appropriate statewide assessments. A State might use 6111 funds to develop innovative strategies to improve the technical quality of State assessments or decrease testing time; incorporate multiple measures to assess student academic achievement; and implement technology-based items, performance tasks, computer-adaptive assessments or other innovative item types that that require the same kind of complex work students do in an effective classroom or in the real world. A State might also engage with the community of researchers, technologists, and innovators within the assessment community who are piloting new assessment models.

A State might use ESEA Title I-A State administrative funds or consolidated State administrative funds to develop improved statewide assessments under the ESEA. For example, a State that amends its academic content standards to reflect college- and career-ready standards might use Title I-A State administrative funds or consolidated State administrative funds to make corresponding changes to its State assessments in order to eliminate and replace unaligned or low-quality items.

A district might use ESEA Title II-A funds to both (1) improve the quality of district or school level assessments if done to improve recruitment and retention of highly qualified teachers, and (2) have teachers work together in professional learning communities to improve the quality of those assessments.

These are just a few examples of allowable uses of formula grant funds that may support the reduction and improvement of student assessments to help improve teaching and learning. To identify further opportunities, please review the statutes, regulations, and guidance for each Federal program, reach out to the Center for Standards & Assessment Implementation, or contact the U.S. Department of Education.