

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
March 9, 2023

OFFICE OF ACCOUNTABILITY

- G. Approval to establish Miss. Admin. Code 7-3: 78.11, State Board Policy Chapter 78, Rule 78.11: Guidelines for Mississippi's Implementation of the Locally Selected Nationally Recognized, High School Assessment Provision of ESSA
(Has cleared the Administrative Procedures Act process without public comments)

Background Information: The Mississippi Department of Education (MDE) proposed procedures to evaluate requests under the Locally Selected Nationally Recognized High School Assessment (LSNRHSA) provisions of the Every Student Succeeds Act (ESSA) (34 C.F.R §200.3 (d)) as outlined in the *Guidelines for Mississippi's Implementation of the Locally Selected, Nationally Recognized, High School Assessment Provision of ESSA*.

The requesting District shall also produce clear guidance about how the assessment fits into Mississippi graduation options and requirements in addition to policies and practices governing participation.

The temporary rule and final action are necessary to implement the policy revisions immediately upon its filing with the Secretary of State in accordance with Miss. Code Ann. § 25-43-3.113(2)(b)(ii). See *also* Miss. Code Ann. § 25-43-3.108. For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

The public comment period was open from January 19, 2023, through 5:00 p.m. February 17, 2023. The MDE received no public comments.

Recommendation: Approval

Back-up material attached

Rule 78.11 Guidelines for Mississippi's Implementation of the Locally Selected, Nationally Recognized, High School Assessment Provision of ESSA. The Mississippi Department of Education (MDE) procedures to evaluate requests under the Locally Selected Nationally Recognized High School Assessment (LSNRHSA) provisions of the Every Student Succeeds Act (ESSA) are outlined in the *Guidelines for Mississippi's Implementation of the Locally Selected, Nationally Recognized, High School Assessment Provision of ESSA*.

Under 34 C.F.R §200.3 (d), a “nationally recognized high school assessment” is a “an assessment of high school students’ knowledge and skills that is administered in multiple States and is recognized by institutions of higher education in those or other States for the purposes of entrance or placement into courses in postsecondary education or training program.” (See USDE LSNRHSA Guidance, May 17, 2017). [<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-II/part-200/subpart-A/subject-group-ECFR3da56646dfe7570/section-200.3>]

The requesting District shall also produce clear guidance about how the assessment fits into Mississippi graduation options and requirements in addition to policies and practices governing participation.

Source: Miss Code Ann. § 37-1-3; 20 U.S.C § 6311(b)(2)(h); 34 C.F.R. §200 (January 2023)

Guidelines for Mississippi’s Implementation of the Locally Selected, Nationally Recognized, High School Assessment Provision of ESSA

This document clarifies the Mississippi Department of Education (MDE) procedures to evaluate requests under the Locally Selected Nationally Recognized High School Assessment (LSNRHSA) provisions of the Every Student Succeeds Act (ESSA) as described in Miss. Admin. Code 7-3:78.11, State Board Policy Chapter 78, Rule 78.11 Guidelines for Mississippi’s Implementation of the Locally Selected, Nationally Recognized, High School Assessment Provision of ESSA. Under 34 C.F.R. § 200.3 (d), a “nationally recognized high school assessment” is “an assessment of high school students’ knowledge and skills that is administered in multiple States and is recognized by institutions of higher education in those or other States for the purposes of entrance or placement into courses in postsecondary education or training program.” (LSNRHSA Guidance, May 17, 2017).

MDE provides a list of approved LSNRHSA available for use in Mississippi at the following link: [Mississippi Locally Selected Nationally Recognized High School Assessment \(LSNRHSA\) | The Mississippi Department of Education \(mdek12.org\)](https://www.mdek12.org/assessment/lsnrhsa)

Districts interested in applying for the LSNRHSA program using an **assessment previously approved** by the US Department of Education (USDE) for use in Mississippi, shall submit a letter of application to the State Superintendent of Public Education by February 1st of each year for the implementation the following year. The letter of application shall address:

- Procedures to notify parents of students about the intention to request approval from the MDE to use the LSNRHSA in lieu of the statewide assessment test
- Methods for parents to provide meaningful input regarding the request
- Anticipated benefit on the instructional program in the District

The requesting district shall also produce clear guidance about how the assessment fits into Mississippi graduation options and requirements in addition to policies and practices governing participation.

Districts interested in submitting a **new assessment** for consideration as a LSNRHSA shall also submit a plan describing how the district shall work with the MDE to demonstrate that the proposed assessment will meet all standards for federal peer review (see: <https://www2.ed.gov/admins/lead/account/saa/assessmentpeerreview.pdf>) as well as specific criteria that pertain to the ESSA LSNRHSA flexibility. These requirements include:

Criterion	Example of Evidence
<u>Participation</u> : The district shall administer the same LSNRHSA to all high school students except	<ul style="list-style-type: none"> ● Letter of assurance ● Copy of participation policy

<p>those participating in an approved alternate assessment based on alternate academic achievement standards (AA-AAS).</p>	<ul style="list-style-type: none"> ● Data file containing records and results for all examinees
<p><u>Alignment:</u> The test shall be aligned to the breadth and depth of the Mississippi College- and Career-Readiness Standards (MS CCRS)</p>	<ul style="list-style-type: none"> ● A technical report documenting an independent alignment study that addresses the following: alignment to the full breadth and depth of the MS CCRS including evidence of comparable and appropriate levels of cognitive complexity, target standards for inclusion and rationale for exceptions
<p><u>Rigor:</u> The test shall be comparable to the Mississippi Academic Assessment Program (MAAP) with respect to difficulty</p>	<ul style="list-style-type: none"> ● Standard setting report or other document that describes how the standards were set ● Performance level descriptors for the assessment ● Analyses that show a level or rigor appropriate for the MS CCRS and comparable to the rigor of the MAAP
<p><u>Technical Documentation:</u> Comprehensive documentation showing the test meets the standards for technical quality appropriate for statewide assessments</p>	<ul style="list-style-type: none"> ● State assessments must meet standards for peer review. The proposed LSNRHSA must meet these standards as well. See: https://tinyurl.com/y4ovsn8f ● Technical documentation (e.g. a technical report) that includes 1) process for test design and development including item reviews, pilot, and field testing, 2) evidence of reliability (including for all federal subgroups), 3) evidence of validity including content, cognitive processes, internal structure, and relation to other variables 4) description of scoring and scaling procedures and evidence they meet professionally acceptable practices 5) evidence of comparability across multiple administrations, forms or modes (e.g. online/ paper) 6) process and results for setting performance standards 7) reporting procedures, reports, and interpretation guides
<p><u>Fairness, Inclusion, and Accessibility:</u> Documentation that the test provides valid and reliable data on student achievement for all students and subgroups, except for students with the most significant cognitive disabilities</p>	<ul style="list-style-type: none"> ● Policies for including all students in assessments and reports ● Results from bias and sensitivity reviews ● Procedures for including Students with Disabilities and English Learners including guidance for how students can participate with accessibility provisions and/or accommodations

	<ul style="list-style-type: none"> ● Assurance that the test provides appropriate accommodations, opportunities to participate, and benefits for students with disabilities and English learners. This requires a comparison across state tests and LSNRHSA of both accommodation policies and qualification procedures.
<p><u>Administration and Security:</u> Monitoring procedures and tools that are in place to ensure that all students are assessed with fidelity on the test and to prevent test irregularities and ensure the integrity of test results</p>	<ul style="list-style-type: none"> ● Test administration manuals and/or procedures showing that test security is comparable to state assessment requirements ● Systems for protecting data integrity and privacy ● Monitoring and evaluation procedures to ensure test administration and results are valid
<p><u>Other Requirements:</u> Districts shall update District Test Security Plans and the LEA Plan that is required as a part of section 1112 of the Act to include the use and administration of the LSNRHSA</p>	<ul style="list-style-type: none"> ● Update District Test Security and LEA plans under section 1112 to describe how the request for LSNRHSA was developed consistent with all requirements ● Update plans to include administration and security protocols related to the LSNRHSA