

**Questions for the Record from
RANKING MEMBER ROBERT C. “BOBBY” SCOTT**

**Committee on Education and the Workforce
Full Committee Hearing:
“Examining the Policies and Priorities of the Department of Education”
Tuesday, May 16, 2023
10:15 a.m.**

**Ranking Member Bobby Scott (D-VA)
Questions for Secretary Miguel Cardona**

1. The Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), contains key assessment and accountability requirements to ensure that states and school districts measure and address achievement gaps and target resources to the schools that need them most. Statewide assessments are one of the most important tools we have to measure and close existing opportunity and achievement gaps. Law requires that summative assessments provide data that is comparable across districts and schools within a state, aligned to state standards, and disaggregated by student group. States that seek to explore innovation in their assessments have the option of requesting demonstration authority through the Innovative Assessment Demonstration Authority (IADA), however any innovative assessments must produce data that are comparable as required by law. The intent of Congress was that parents whose children attend schools in school districts participating in an IADA pilot can compare the assessment results for that school district to non-participating school districts within the same state, which is why the requirements around comparability are so important.
 - a. The Department recently solicited comments on whether changes to IADA regulations, including changes to current regulatory options to meet “comparability”, are needed to encourage states to participate in IADA. The Department must recall that in making any changes to state’s options to meet “comparability”, such changes to these options should be within the limitations set forth in Section 1204(e)(2)(A)(iv) of the ESEA to measure whether all students are meeting grade level expectations, among other things. How will the Department ensure that any changes to current regulations meet this requirement?
 - b. Further, the Department should assess whether it can provide any information or resources otherwise within the confines of ESEA to help states explore innovation to its assessment systems. What are ways the Department could support states seeking to develop innovation in statewide assessment systems that are outside of regulatory changes to IADA but within the requirements of ESEA?
2. State accountability systems provide important information on student academic outcomes and help educational decision makers identify and assist low-performing

schools. These systems have been in place for many years and were updated to reflect the passage of the Every Student Succeeds Act (ESSA). However, due to the COVID-19 pandemic, states had to make significant changes to their accountability systems, known as amendments or addenda to consolidated state plans. These changes were to be limited to one or two years, depending on the circumstances in the state, and our expectation is that states will resume implementing the accountability systems the Department approved before the pandemic. Meeting the goals of ESSA is critically important, especially for our nation's most vulnerable children who experienced significant learning loss during the past few years. Thus, as we are emerging from the pandemic, what steps is the Department taking to ensure that states implement robust systems to address this learning loss and improve the education of our nation's schoolchildren, especially those who are most vulnerable?