

AMENDMENT TO H.R. 5

OFFERED BY M____. _____

In section 131, strike subsection (b) and insert the following:

1 (b) SUPPORT FOR HIGH-QUALITY ASSESSMENTS.—

2 (1) AMENDMENT.—Part A of title I (20 U.S.C.
3 6311 et seq.), as amended by the preceding provi-
4 sions of this Act, is further amended by adding at
5 the end the following new subpart:

6 **“Subpart 6—Support for High-Quality Assessments**

7 **“SEC. 1261. GRANTS TO IMPROVE DELIVERY OF HIGH-QUAL-**
8 **ITY ASSESSMENTS AND FOR RELATED AC-**
9 **TIVITIES.**

10 “(a) IN GENERAL.—From the amount reserved
11 under section 1264(b)(5) and subject to subparagraphs
12 (A) and (B) of such section, the Secretary shall make
13 grants by allocating funds in accordance with subsection
14 (b) of this section to States to enable the States to—

15 “(1) develop, administer, and further align
16 State assessments required by section 1111(b)(2) to
17 State content standards required by section
18 1111(b)(1);

1 “(2) ensure the provision of appropriate accom-
2 modations as required by section 1111(b)(2)(B)(ix)
3 to students with limited English proficiency and stu-
4 dents with disabilities to improve the rates of inclu-
5 sion in State assessments of such students;

6 “(3) develop State assessment systems aligned
7 to the State’s content standards that support sys-
8 tems of continuous improvement and promote co-
9 ordination and alignment with school improvement
10 plans as required under federal law;

11 “(4) support local educational agencies in iden-
12 tifying uses of assessment data, which may include
13 appropriate use of student assessment data as one
14 of multiple measures of student learning for teacher
15 and school leader performance and evaluation, where
16 applicable; and

17 “(5) carry out the activities described in the re-
18 port required under subsection (c).

19 “(b) ALLOCATION OF FUNDS.—From the amount re-
20 served under section 1264(b)(5), each State shall receive
21 an allocation for each fiscal year in an amount equal to—

22 “(1) \$4,000,000; and

23 “(2) with respect to any amounts remaining
24 after the allocation is made under paragraph (1), an
25 amount that bears the same relationship to such

1 total remaining amounts as the number of students
2 ages 5 through 17 in the State (as determined by
3 the Secretary on the basis of the most recent satis-
4 factory data) bears to the total number of such stu-
5 dents in all States.

6 “(c) STATE REPORT.—Not later than 6 months after
7 a State receives a grant under this section, the State shall,
8 in consultation with education stakeholders, prepare and
9 make publically available a report, that explains how the
10 State has used, or will use, the grant to—

11 “(1) improve the quality and use of the State’s
12 assessment system, including assessments not re-
13 quired by section 1111(b)(2), and for related activi-
14 ties;

15 “(2) ensure that all summative assessments
16 that are used for accountability purposes, including
17 accountability described in section 1111(b)(3) are
18 valid and reliable, and consistent with relevant, na-
19 tionally recognized professional and technical stand-
20 ards; and

21 “(3) improve the use of State assessment data
22 by school leaders, educators, and parents, and for
23 related activities, such as—

1 “(A) disseminating the assessment data in
2 an accessible and understandable format for
3 educators, parents, and families;

4 “(B) decreasing time between admin-
5 istering such State assessments and releasing
6 assessment data;

7 “(C) supporting the dissemination of
8 promising practices from local educational
9 agencies that have successfully used assessment
10 data to improve individual student and overall
11 school performance;

12 “(D) identifying appropriate uses of as-
13 sessment data, which may include appropriate
14 use of student assessment data as one of mul-
15 tiple measures of student learning for teacher
16 and school leader performance and evaluation;
17 and

18 “(E) providing professional development on
19 assessment and data literacy to teachers and
20 school leaders, including on the development
21 and effective use of formative and classroom-
22 based assessments aligned with State content
23 standards.

1 **“SEC. 1262. GRANTS FOR ASSESSMENT SYSTEM ALIGN-**
2 **MENT, QUALITY, AND USE.**

3 “(a) IN GENERAL.—From the amount reserved
4 under section 1264(b)(3), the Secretary shall make grants
5 to States to—

6 “(1) in the case of a grant awarded under this
7 section to a State for the first time—

8 “(A) carry out an audit of the State as-
9 sessment system and ensure that local edu-
10 cational agencies carry out audits of local as-
11 sessments under subsection (e)(1);

12 “(B) prepare and carry out the State plan
13 under subsection (e)(6); and

14 “(C) award subgrants under subsection (f);
15 and

16 “(2) in the case of a grant awarded under this
17 section to a State that has previously received a
18 grant under this section—

19 “(A) carry out the State plan on audit
20 findings under subsection (e)(6); and

21 “(B) award subgrants under subsection
22 (f).

23 “(b) MINIMUM AMOUNT.—Each State with an ap-
24 proved application shall receive a grant amount of not less
25 than \$2,000,000.

1 “(c) REALLOCATION.—If a State chooses not to apply
2 to receive a grant under this subsection, or if such State’s
3 application under subsection (d) is disapproved by the Sec-
4 retary, the Secretary shall reallocate such grant amount
5 to other States with approved applications.

6 “(d) APPLICATION.—A State desiring to receive a
7 grant under this section shall submit an application to the
8 Secretary at such time, in such manner, and containing
9 such information as the Secretary may require.

10 “(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND
11 LOCAL ASSESSMENTS.—

12 “(1) AUDIT REQUIREMENTS.—Not later than 1
13 year after a State receives a grant under this section
14 for the first time, the State shall—

15 “(A) conduct an audit of the State assess-
16 ment system;

17 “(B) ensure that each local educational
18 agency under the State’s jurisdiction and re-
19 ceiving funds under this Act—

20 “(i) conducts an audit of each local
21 assessment administered by the local edu-
22 cational agency; and

23 “(ii) submits the results of such audit
24 to the State; and

1 “(C) report the results of each State and
2 local educational agency audit conducted under
3 subparagraphs (A) and (B)—

4 “(i) in a publicly available format,
5 such as a widely accessible online platform;
6 and

7 “(ii) with appropriate accessibility
8 provisions for individuals with disabilities
9 and individuals with limited English pro-
10 ficiency.

11 “(2) RESOURCES FOR LOCAL EDUCATIONAL
12 AGENCIES.—In carrying out paragraph (1)(B), each
13 State shall develop and provide local educational
14 agencies with resources, such as guidelines and pro-
15 tocols, to assist the agencies in conducting and re-
16 porting the results of the audit required under such
17 paragraph (1)(B).

18 “(3) STATE ASSESSMENT SYSTEM DESCRIP-
19 TION.—An audit of a State assessment system con-
20 ducted under paragraph (1) shall include a descrip-
21 tion of each State assessment carried out in the
22 State, including—

23 “(A) the grade and subject matter as-
24 sessed;

1 “(B) whether the assessment is required
2 under section 1111(b)(2);

3 “(C) the annual cost to the State edu-
4 cational agency involved in developing, pur-
5 chasing, administering, and scoring the assess-
6 ment;

7 “(D) the purpose for which the assessment
8 was designed and the purpose for which the as-
9 sessment is used, including assessments de-
10 signed to contribute to systems of continuous
11 improvement of teaching and learning;

12 “(E) the time for disseminating assess-
13 ment results;

14 “(F) a description of how the assessment
15 is aligned with the State’s content standards;

16 “(G) a description of any State law or reg-
17 ulation that established the requirement for the
18 assessment;

19 “(H) the schedule and calendar for all
20 State assessments given; and

21 “(I) a description of the State’s policies for
22 inclusion of students with limited English pro-
23 ficiency and students with disabilities.

24 “(4) LOCAL ASSESSMENT DESCRIPTION.—An
25 audit of a local assessment conducted under para-

1 graph (1) shall include a description of the local as-
2 sessment carried out by the local educational agency,
3 including—

4 “(A) the descriptions listed in subpara-
5 graphs (A), (D), and (E) of paragraph (3);

6 “(B) the annual cost to the local edu-
7 cational agency of developing, purchasing, ad-
8 ministering, and scoring the assessment;

9 “(C) the extent to which the assessment is
10 aligned to the State’s content standards;

11 “(D) a description of any State or local
12 law or regulation that establishes the require-
13 ment for the assessment; and

14 “(E) in the case of a summative assess-
15 ment that is used for accountability purposes,
16 whether the assessment is valid and reliable and
17 consistent with nationally recognized profes-
18 sional and technical standards.

19 “(5) STAKEHOLDER FEEDBACK.—Each audit of
20 a State assessment system or local assessment sys-
21 tem conducted under subparagraph (A) or (B) of
22 paragraph (1) shall include feedback on such system
23 from education stakeholders, which shall cover infor-
24 mation such as—

1 “(A) how educators and administrators use
2 assessment data to improve and differentiate
3 instruction;

4 “(B) the timing of release of assessment
5 data;

6 “(C) the extent to which assessment data
7 is presented in an accessible and understand-
8 able format for educators, parents, students, if
9 appropriate, and the community;

10 “(D) the opportunities, resources, and
11 training educators and administrators are given
12 to review assessment results and make effective
13 use of assessment data;

14 “(E) the distribution of technological re-
15 sources and personnel necessary to administer
16 assessments;

17 “(F) the amount of time educators spend
18 on test preparation;

19 “(G) the assessments that administrators,
20 educators, parents, and students, if appropriate,
21 do and do not find useful;

22 “(H) the amount of time students spend
23 taking the assessments; and

24 “(I) other information as appropriate.

25 “(6) STATE PLAN ON AUDIT FINDINGS.—

1 “(A) PREPARING THE STATE PLAN ON
2 AUDIT FINDINGS.—Not later than 6 months
3 after a State conducts an audit under para-
4 graph (1) and based on the results of such
5 audit, the State shall, in coordination with the
6 local educational agencies under the jurisdiction
7 of the State, prepare and submit to the Sec-
8 retary, a plan to improve and streamline State
9 assessment systems and local assessment sys-
10 tems, including through activities such as—

11 “(i) eliminating any assessments that
12 are not required by section 1111(b)(2)
13 (such as by buying out the remainder of
14 procurement contracts with assessment de-
15 velopers) and that—

16 “(I) are low-quality;

17 “(II) not aligned to the State’s
18 content standards;

19 “(III) in the case of summative
20 assessments used for accountability
21 purposes, are not valid or reliable and
22 are inconsistent with nationally recog-
23 nized professional and technical
24 standards;

1 “(IV) do not contribute to sys-
2 tems of continuous improvement for
3 teaching and learning; or

4 “(V) are redundant;

5 “(ii) supporting the dissemination of
6 promising practices from local educational
7 agencies or other States that have success-
8 fully improved assessment quality and effi-
9 ciency to improve teaching and learning;

10 “(iii) supporting local educational
11 agencies or consortia of local educational
12 agencies to carry out efforts to streamline
13 local assessment systems and implementing
14 a regular process of review and evaluation
15 of assessment use in local educational
16 agencies;

17 “(iv) supporting appropriate uses of
18 assessment data, which may include appro-
19 priate use of student assessment data as
20 one of multiple measures of student learn-
21 ing for teacher and school leader perform-
22 ance and evaluation; and

23 “(v) providing professional develop-
24 ment to teachers and school leaders on se-
25 lecting and implementing formative assess-

1 ments, designing classroom-based assess-
2 ments, and assessment and data literacy.

3 “(B) CARRY OUT THE STATE PLAN ON
4 AUDIT FINDINGS.—A State shall carry out a
5 State plan on audit findings as soon as prac-
6 ticable after the State prepares such State plan
7 under subparagraph (A) and during each grant
8 period of a grant described in subsection (a)(2)
9 that is awarded to the State.

10 “(f) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
11 CIES.—

12 “(1) IN GENERAL.—From the amount awarded
13 to a State under this section, the State shall reserve
14 not less than 20 percent of funds to make subgrants
15 to local educational agencies in the State, or a con-
16 sortium of such local educational agencies, based on
17 demonstrated need in the agency’s or consortium’s
18 application to improve assessment quality, use, and
19 alignment with the State’s content standards.

20 “(2) LOCAL EDUCATIONAL AGENCY APPLICA-
21 TION.—Each local educational agency, or consortium
22 of local educational agencies, seeking a subgrant
23 under this subsection shall submit an application to
24 the State at such time, in such manner, and describ-
25 ing that agency’s or consortium’s needs to improve

1 assessment quality, use, and alignment (as described
2 in paragraph (1)), and such other information as de-
3 termined by the State.

4 “(3) USE OF FUNDS.—A subgrant awarded
5 under this subsection to a local educational agency
6 or consortium of such agencies may be used to—

7 “(A) conduct an audit of local assessments
8 under subsection (e)(1)(B);

9 “(B) eliminate any assessments identified
10 for elimination by such audit, such as by buying
11 out the remainder of procurement contracts
12 with assessment developers;

13 “(C) disseminate the promising practices
14 described in subsection (e)(6)(B);

15 “(D) improve the capacity of school leaders
16 and educators to disseminate assessment data
17 in an accessible and understandable format for
18 parents and families, including for individuals
19 with disabilities or individuals with limited
20 English proficiency;

21 “(E) support the appropriate use of assess-
22 ment data, which may include appropriate use
23 of student assessment data as one of multiple
24 measures of student learning for teacher and
25 school leader performance and evaluation;

1 “(F) provide professional development to,
2 and time for teacher collaboration on designing
3 classroom-based assessments and improving as-
4 sessments and data literacy for, teachers and
5 school leaders, which may include providing ad-
6 ditional planning time to analyze student and
7 team data and designing instruction based on
8 data analysis;

9 “(G) improve assessment delivery systems
10 and schedules, including by increasing access to
11 technology and exam proctors, where appro-
12 priate;

13 “(H) hire instructional coaches, or pro-
14 moting educators who may receive increased
15 compensation to serve as instructional coaches,
16 to support educators to develop classroom-based
17 assessments, interpret assessment data, and de-
18 sign instruction; and

19 “(I) provide for appropriate assessment ac-
20 commodations to maximize inclusion of students
21 with disabilities and students with limited
22 English proficiency as required under this title
23 and title III.

1 **“SEC. 1263. COMPETENCY-BASED ASSESSMENT AND AC-**
2 **COUNTABILITY DEMONSTRATION AUTHOR-**
3 **ITY.**

4 “(a) DEFINITIONS.—In this part:

5 “(1) COLLEGE AND CAREER READY CONTENT
6 STANDARDS.—The term ‘college and career ready
7 content standards’ means standards for, at a min-
8 imum, English language arts, math, and science
9 that—

10 “(A) apply to all schools and students in
11 the State;

12 “(B) in the case of standards from kinder-
13 garten through grade 3, reflect progression in
14 how children develop and learn the requisite
15 skills and content from earlier grades (including
16 preschool) to later grades; and

17 “(C) are—

18 “(i) vertically aligned from kinder-
19 garten through grade 12;

20 “(ii) developed and implemented to
21 ensure that proficiency in the content
22 standards will signify that a student is on-
23 track to graduate prepared for—

24 “(I) placement in credit-bearing,
25 non-remedial courses at the 2- and 4-
26 year public institutions of higher edu-

1 cation in the State (according to writ-
2 ten affirmation from the State’s pub-
3 lic institutions of higher education);
4 and

5 “(II) success on relevant State
6 career and technical education stand-
7 ards;

8 “(iii) developed through participation
9 in a State-led process that engages—

10 “(I) kindergarten through grade
11 12 education experts (including teach-
12 er and educational leaders); and

13 “(II) representatives institutions
14 of higher education, the business com-
15 munity, and the early learning com-
16 munity;

17 “(iv) rigorous, internationally
18 benchmarked, and evidence-based, requir-
19 ing students to demonstrate the ability to
20 think critically, solve problems, and com-
21 municate effectively;

22 “(v) either—

23 “(I) validated, including through
24 written affirmation from the STET’s
25 public institutions of higher education

1 to ensure that proficiency in the con-
2 tent standards will signify that a stu-
3 dent is on-track to graduate prepared
4 for—

5 “(aa) placement in credit-
6 bearing, non-remedial courses at
7 the 2-and4-year public institu-
8 tions of higher education in the
9 State; and

10 “(bb) success on relevant
11 State career and technical edu-
12 cation standards; or

13 “(II) State-developed and volun-
14 tarily adopted by a significant number
15 of states;

16 “(2) COMPETENCY.—The term ‘competency’
17 means a target for student learning representing key
18 content-specific concepts and higher order skills,
19 such as critical thinking, problem solving, and self
20 directed learning that is—

21 “(A) applied within or across content do-
22 mains; and

23 “(B) aligned with college and career ready
24 content standards.

1 “(3) CORE INDICATORS.—The term ‘core indi-
2 cators’ means—

3 “(A) State academic assessments that
4 meet the requirements of section 1111(b)(2)
5 and that provide data that can be compared
6 with data regarding the State academic assess-
7 ments required under section 1111(b)(2); and

8 “(B) graduation rates.

9 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means a State educational agency or consor-
11 tium of State educational agencies.

12 “(5) MASTERY.—The term ‘mastery’ means a
13 level of knowledge or skill development demonstrated
14 by a student signifying that the student has met a
15 standard and is prepared to progress to a subse-
16 quent standard.

17 “(6) PERFORMANCE ASSESSMENT.—The term
18 ‘performance assessment’ means a multi-step assess-
19 ment that—

20 “(A) includes complex activities with clear
21 criteria, expectations, and processes that enable
22 students to interact with meaningful content;
23 and

1 “(B) measures the depth at which students
2 learn content and apply complex skills to create
3 or refine an original product or solution.

4 “(b) DEMONSTRATION AUTHORITY.—

5 “(1) IN GENERAL.—The Secretary may provide
6 eligible entities, in accordance with paragraph (3),
7 with the authority to incorporate competency-based
8 accountability into the State accountability system
9 required under section 1111(b)(3) in accordance
10 with an application approved under subsection (c).

11 “(2) DEMONSTRATION PERIOD.—Each award of
12 demonstration authority under this part shall be for
13 a period of 3 years.

14 “(3) INITIAL DEMONSTRATION AUTHORITY; EX-
15 PANSION; RENEWAL.—

16 “(A) INITIAL LIMIT.—During the initial 3-
17 year period of demonstration authority under
18 this section, the Secretary may not provide
19 more than 3 eligible entities with the authority
20 described in paragraph (1).

21 “(B) EXPANSION OF DEMONSTRATION AU-
22 THORITY.—After the end of the initial dem-
23 onstration period described in subparagraph
24 (A), the Secretary may provide additional eligi-
25 ble entities with demonstration authority de-

1 scribed in paragraph (1), subject to each of the
2 requirements of this part as applicable, if the
3 Secretary determines that the demonstration
4 authority provided under this part during the
5 initial demonstration period has effectively sup-
6 ported student progress on core indicators
7 among students served by the eligible entities,
8 including subgroups of students described in
9 section 1111(b)(2)(B)(xii).

10 “(C) RENEWAL REQUIREMENTS.—The
11 Secretary may renew an award of demonstra-
12 tion authority under this part for additional 2-
13 year periods if the eligible entity demonstrates
14 progress on core indicators.

15 “(c) APPLICATIONS.—To be eligible to participate in
16 the demonstration under this part, an eligible entity shall
17 submit an application to the Secretary at such time, in
18 such manner, and containing such information as the Sec-
19 retary may require, that describes the competency-based
20 accountability system that will be used by the eligible enti-
21 ty, including—

22 “(1) an assurance that the competency-based
23 accountability system will only utilize summative as-
24 sessments for accountability purposes that—

1 “(A) are determined by the Secretary to
2 provide comparable data across the eligible enti-
3 ty, demonstrate inter-rater reliability, and meet
4 the requirements for assessments described in
5 section 1111(b)(2);

6 “(B) have been field-tested;

7 “(C) are aligned to college and career
8 ready content standards and State-approved
9 competencies;

10 “(D) have been developed in collaboration
11 with stakeholders representing the interests of
12 students with disabilities, English learners, and
13 civil rights organizations in the State, as dem-
14 onstrated through modifications made to the as-
15 sessments resulting from such collaboration;
16 and

17 “(E) incorporate the principles of universal
18 design as defined in section 3(a) of the Assist-
19 ive Technology Act of 1998 (29 U.S.C.
20 3002(a));

21 “(2) how the competency-based accountability
22 system will—

23 “(A) incorporate a system of formative, in-
24 terim, and summative assessments, including
25 the use of performance assessments and other

1 sources of evidence of student learning that de-
2 termine mastery of State-approved com-
3 petencies aligned to college and career ready
4 content standards and competencies;

5 “(B) allow students to demonstrate
6 progress toward mastery of such standards and
7 State-approved competencies;

8 “(C) assess mastery of State-approved
9 competencies when students are ready to dem-
10 onstrate mastery of such standards and com-
11 petencies;

12 “(D) provide students with multiple oppor-
13 tunities to demonstrate mastery of such stand-
14 ards and competencies;

15 “(E) ensure that summative assessments
16 comply with the requirements for academic as-
17 sessments, as described in section 1111(b)(2),
18 while engaging and supporting teachers in scor-
19 ing assessments, including the use of high qual-
20 ity professional development, standardized and
21 calibrated scoring rubrics, and other strategies
22 to ensure inter-rater reliability and com-
23 parability of determinations of mastery across
24 the State;

1 “(F) provide educators, students, and par-
2 ents with real-time data to inform instructional
3 practice and continuously improve student per-
4 formance;

5 “(G) be used in conjunction with the ac-
6 countability requirements described in section
7 1111(b)(3) and to improve the academic out-
8 comes for any subgroup described in section
9 1111(b)(2)(B)(xii);

10 “(H) require not less than 1 year of aca-
11 demic growth within a school year for each stu-
12 dent and assure instructional support and tar-
13 geted intervention are in place for those stu-
14 dents performing below their peers; and

15 “(I) only utilize a student’s individualized
16 education program, as defined in section 602 of
17 the Individuals with Disabilities Education Act,
18 for purposes specifically allowed under such
19 Act;

20 “(3) the eligible entity’s plan to—

21 “(A) ensure that all students, including
22 each student subgroup described in section
23 1111(b)(2)(B)(xii)—

24 “(i) are held to the same high stand-
25 ard;

1 “(ii) demonstrate annually, at a min-
2 imum, at least 1 year of academic growth;
3 and

4 “(iii) receive the instructional support
5 needed to attain mastery of college and ca-
6 reer ready content standards and State-ap-
7 proved competencies;

8 “(B) train local educational agency and
9 school staff to implement the assessments de-
10 scribed in paragraph (2)(A);

11 “(C) acclimate students to the new assess-
12 ment and accountability systems; and

13 “(D) ensure that each local educational
14 agency has the technological infrastructure to
15 operate the competency-based accountability
16 system described in this section; and

17 “(4) a description of how instruction and pro-
18 fessional development will be enhanced within the
19 competency-based system to personalize the edu-
20 cational experience for each student to ensure all
21 students graduate college and career ready, as deter-
22 mined in accordance with State academic achieve-
23 ment standards under section 1111(b).

24 “(d) PEER REVIEW.—The Secretary shall—

1 “(1) implement a peer review process, which
2 shall include a review team comprised of practi-
3 tioners and experts who are knowledgeable about
4 competency-based learning systems, to inform the
5 awarding of the demonstration authority under this
6 part; and

7 “(2) make publicly available the applications
8 submitted under subsection (c) and the peer com-
9 ments and recommendations on such applications.

10 “(e) DEMONSTRATION AUTHORITY WITHDRAWN.—
11 The Secretary may withdraw the demonstration authority
12 provided to an eligible entity under this part if—

13 “(1) at any point after the first 2 years of the
14 3-year demonstration period described in subsection
15 (b)(2), the Secretary determines that student per-
16 formance for all students served by the eligible enti-
17 ty or any student subgroup described under section
18 1111(b)(2)(B)(xii) has declined on core indicators;
19 or

20 “(2) after providing a State with a renewal of
21 demonstration authority under subsection (b)(3), the
22 Secretary makes a determination that student per-
23 formance has declined on core indicators for all stu-
24 dents or any student subgroup described under sec-
25 tion 1111(b)(2)(B)(xii) for 2 consecutive years dur-

1 ing the State’s participation in the demonstration
2 under this part.

3 “(f) DISSEMINATION OF BEST PRACTICES.—The
4 Secretary shall disseminate best practices on the imple-
5 mentation of competency-based accountability systems, in-
6 cluding on—

7 “(1) the effective use of formative, interim, and
8 summative assessments to inform instruction;

9 “(2) the development of summative assessments
10 that meet the requirements of section 1111(b)(2),
11 can be compared with the State assessments re-
12 quired under such section, and include assessment
13 tasks that determine mastery of State-approved
14 competencies aligned to college and career ready
15 content standards; and

16 “(3) the development of standardized and cali-
17 brated scoring rubrics, and other strategies to en-
18 sure inter-rater reliability and comparability of de-
19 terminations of mastery across the State.

20 **“SEC. 1264. FUNDING.**

21 “(a) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) NATIONAL ASSESSMENT OF EDUCATIONAL
23 PROGRESS.—For the purpose of administering the
24 State assessments under the National Assessment of
25 Educational Progress, there are authorized to be ap-

1 appropriated \$72,000,000 for fiscal year 2016, and
2 such sums as may be necessary for each of the 5
3 succeeding fiscal years.

4 “(2) STATE ASSESSMENTS AND RELATED AC-
5 TIVITIES.—For the purpose of carrying out this sub-
6 part, there are authorized to be appropriated
7 \$600,000,000 for fiscal year 2016, and such sums
8 as may be necessary for each of the 5 succeeding fis-
9 cal years.

10 “(b) RESERVATION OF APPROPRIATED FUNDS.—
11 From amounts made available for each fiscal year under
12 subsection (a)(2), the Secretary shall—

13 “(1) reserve one-half of 1 percent for the Bu-
14 reau of Indian Affairs;

15 “(2) reserve one-half of 1 percent for the out-
16 lying areas;

17 “(3) reserve 20 percent to carry out section
18 1262;

19 “(4) reserve 3 percent to carry out section
20 1263; and

21 “(5) reserve the remainder (after reserving
22 funds under paragraphs (1) through (4)) to carry
23 out section 1261, except that—

24 “(A) for any fiscal year for which the
25 funds appropriated under subsection (a)(2) of

1 this section are equal to or greater than
2 \$450,000,000, each State that receives a grant
3 under section 1261 shall use the grant to carry
4 out paragraphs (1) through (5) of section
5 1261(a); and

6 “(B) for any fiscal year for which the
7 funds appropriated under subsection (a)(2) of
8 this section are less than \$450,000,000, each
9 State that receives a grant under section 1261
10 shall only be required to use the grant to carry
11 out paragraphs (1) through (3) of section
12 1261(a).

13 **“SEC. 1265. STATE DEFINED.**

14 “In this section, the term ‘State’ means each of the
15 50 States, the District of Columbia, and the Common-
16 wealth of Puerto Rico.”.

17 (2) CONFORMING AMENDMENT.—Subpart 1 of
18 part A of title VI (20 U.S.C. 7301 et seq.) is re-
19 pealed.

