
FISCAL UPDATE Article

Fiscal Services Division

February 19, 2018



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

ADMINISTRATIVE LAW JUDGE RULES ON STATEWIDE ASSESSMENT RFP

Background. [Senate File 240](#) (FY 2018 Statewide Assessment Act) required the Department of Education to issue a new request for proposals (RFP) for the selection of a statewide assessment to measure student growth and student achievement toward the Iowa core academic standards. The selected assessment is required to be available for grades three through eight and one high school level grade, and must cover English language arts, math, and science. The Department was required to consider the following in the RFP process:

- Feasibility of implementation by school districts.
- Cost to the State and school districts.
- Alignment with the Iowa core academic standards.
- Compliance with federal law (Every Student Succeeds Act – ESSA).

Request for Proposal Process. The Department of Education worked with the Department of Administrative Services to create and execute an RFP that met the requirements of [SF 240](#). The RFP was created by the Department of Education with oversight and review by the Department of Administrative Services. The seven submissions to the RFP were reviewed by seven individuals (five members of the public who hold or have recently held positions in K-12 schools in Iowa and two members from the Department of Education who had not previously participated in assessment selections). Each member of the review committee independently scored all seven submissions; the members then met and created a consensus score for each of the requirements for each of the submissions. After the conclusion of the technical scoring, the cost proposals were unsealed and factored into the total score for each submission. The technical score for each submission was calculated out of 700 and the cost score was calculated out of 300, adding up to a total score out of 1,000.

An irregularity was found in the NCS Pearson cost proposal during the review of all submitted cost proposals. The reviewers found that due to a clerical error in the creation of the RFP, a series of optional costs for additional translations had been included in the other six submissions; however, Pearson's submission had been manually altered to remove these optional items. In order to ensure that the grand total costs of the different assessments were considered accurately, the reviewers removed these optional costs from the other submissions' grand totals. After the removal of these optional costs, the American Institutes for Research (AIR)'s College- and Career-Readiness Assessment had the highest total score.

Table 1 shows the total scores for all submissions.

Table 1

Vendor	Technical Score	Cost Score	Total Score
AIR (College- and Career-Readiness)	531	210	741
NCS Pearson, Inc. (Iowa Assessments)	430	300	730
AIR (Smarter Balanced Short Solution)	530	180	710
AIR (Smarter Balanced Solution)	555	138	693
Data Recognition Corp.	398	200	598
Questar Assessment, Inc.	406	161	567
ACT, Inc.	360	139	499

At the conclusion of the RFP process in fall 2017, the Department of Education selected the AIR College- and Career-Readiness Assessment, at which time NCS Pearson challenged the conclusion of the RFP process.

Ruling. The Administrative Law Judge (ALJ) who reviewed the process affirmed the Notice of Intent to award the RFP to AIR on February 14, 2018. The decision by the ALJ is the final decision unless there is an appeal to the Director of the Department of Administrative Services, which must be filed within 15 days of the proposed decision, or unless further legislative action is taken.

LSA Staff Contact: Josie Gerriets (515.238.2833) josie.gerriets@legis.iowa.gov