



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Matthew L. Blomstedt
Commissioner of Education
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, NE 68509-4987

September 12, 2019

Dear Commissioner Blomstedt:

Thank you for your participation in the U.S. Department of Education's (the Department's) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). I appreciate the efforts of the Nebraska Department of Education (NDE) to prepare for the English language proficiency (ELP) peer review that occurred in April 2019. Specifically, NDE submitted evidence regarding the English Language Proficiency Assessment for the 21st Century (ELPA21).

The Elementary and Secondary Education Act (ESEA) and its implementing regulations require a State to ensure that its local educational agencies (LEAs) provide an annual ELP assessment of all English learners (ELs) in grades K-12 in schools served by the State (ESEA section 1111(b)(2)(G); 34 CFR § 200.6(h)). Specifically, the ESEA requires a State to develop a uniform statewide ELP assessment to measure the ELP of all ELs in the State, including ELs with disabilities, and to provide an alternate ELP assessment (AELPA) for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with accommodations (ESEA section 1111(b)(2)(G); 34 CFR § 200.6(h)(1), (5)). The ESEA and its implementing regulations require that a State's ELP assessments, including the AELPA, be aligned with the State's ELP standards, provide valid and reliable measures of the State's ELP standards, and be of adequate technical quality (ESEA section 1111(b)(2)(G); 34 CFR §§ 200.2(b)(2), (b)(4), (b)(5), 200.6(h)(2)).

External peer reviewers and Department staff carefully evaluated NDE's submission and the Department found, based on the evidence received, that this component of your assessment system met some, but not all of the statutory and regulatory requirements of the ESEA. Based on the recommendations from this peer review and our own analysis of the State's submission, I have determined the following:

- General ELP assessment (ELPA21): **Partially meets requirements of the ESEA, as amended by ESSA.**

An assessment that partially meets requirements does not meet a number of the requirements of the statute and regulations and NDE will need to provide substantial additional information to demonstrate it meets the requirements. The Department realizes that this was the first time your State was required to provide its ELP assessment for peer review and recognizes that it may take some time to address all of the required

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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.

items. The specific list of items required for NDE to submit is enclosed with this letter. I also note that NDE did not submit evidence for an AELPA for ELs with significant cognitive disabilities who are unable to take the general ELP assessment. Within 30 days, NDE must provide a plan and timeline outlining when it will submit all required documentation for ELPA21 peer review and the development and administration of an AELPA, including when this required assessment will be submitted for peer review. Resubmission should occur once all necessary evidence is complete (rather than in multiple submissions). The Department is placing a condition on NDE's Title I, Part A grant award. The condition shall remain until NDE's ELP and alternate ELP assessments have been determined to meet all requirements. If adequate progress is not made, the Department may take additional action.

Additionally, the Office of Special Education and Rehabilitative Services (OSERS) will monitor progress on matters pertaining to requirements in the Individuals with Disabilities Education Act (IDEA) related to the participation of students with disabilities in Title I assessments. In particular, OSERS will monitor progress against critical elements 1.4, 4.2 and 5.3. Insufficient progress to address such matters may lead OSERS to place a condition on NDE's Federal fiscal year 2020 IDEA Part B grant award.

The full peer review notes from the review are enclosed. These recommendations to the Department formed the basis of our determination. Please note that the peers' recommendations may differ from the Department's feedback; we encourage you to read the full peer notes for additional suggestions and recommendations for improving your assessment system beyond what is noted in the Department's feedback. Department staff will reach out to your assessment director in the next few days to discuss the peer notes and the Department's determination and to answer any questions you have.

Thank you for your ongoing commitment to improving educational outcomes for all students. I look forward to our continued partnership as we move ahead with this critical work. I appreciate the work you are doing to improve your schools and provide a high-quality education for your students.

If you have any questions, please contact my staff at: ESEA.Assessment@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary for
Elementary and Secondary Education

Enclosures

cc: Jeremy Heneger, Director of Statewide Assessment

Critical Elements Where Additional Evidence is Needed to Meet the Requirements for Nebraska’s Use of the English Language Proficiency Assessment for the 21st Century (ELPA21) as an English Language Proficiency (ELP) Assessment

Critical Element	Additional Evidence Needed
1.2 – Coherent and Progressive ELP Standards that Correspond to the State’s Academic Content Standards	<p>For the State’s ELP standards:</p> <ul style="list-style-type: none"> • Evidence that the standards align to the State academic content standards and contain language proficiency expectations that reflect the language needed for English learners (ELs) to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science (e.g., provide an independent evaluation of the alignment of the ELP standards with the academic content standards).
1.3 – Required ELP Assessments	<p>For the State’s ELP assessment system:</p> <ul style="list-style-type: none"> • Evidence that the State’s assessment system includes an annual general and alternate ELP assessment (aligned with State ELP standards) administered to all ELs, including ELs with the most significant cognitive disabilities. If the State does not have an alternate ELP assessment (AELPA), it must provide a timeline when it plans to implement one.
1.4 – Policies for Including All ELs in ELP Assessments	<p>For the State’s ELP assessment system:</p> <ul style="list-style-type: none"> • Evidence requested in critical element 1.3.
2.1 – Test Design and Development	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence of ELPA21 test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of the State’s ELP standards, and support the intended interpretations and uses of the results such as unredacted blueprints and test form construction guides or evidence that includes but is not limited to the following: <ul style="list-style-type: none"> ○ Information on how many standards each test form is assessing and how many standards are not assessed by form and grade or grade band. ○ The proportion of hand-scored items by grade-band domain versus the proportion of machine-scored items. ○ A rationale for assessing/not assessing standards. ○ Documentation and a description of how the test blueprints support the intended interpretation and uses of the results. • Evidence of processes to ensure that the ELPA21 assessment is tailored to the knowledge and skills included in the State’s ELP standards and reflects appropriate inclusion of the range of complexity found in the standards (e.g., strong, independent evidence of alignment).
2.2 – Item Development	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that ELPA21 uses reasonable and technically sound procedures to develop and select items to assess student ELP based on the State’s ELP standards in terms of content and language processes (e.g., evidence that ensures that future item development will address gaps identified in the alignment study, specifically the relative lack of items in terms of

Critical Element	Additional Evidence Needed
	language and content processes, the lack of items that measure certain standards, and the production of more difficult items for some test forms).
2.3 – Test Administration	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional support personnel, and other appropriate staff receive necessary training to administer assessments and know how to administer assessments and know how to make use of appropriate accommodations during assessments for all students with disabilities.
2.4 – Monitoring Test Administration	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that the State adequately monitors the administration of the assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. Monitoring of test administration should be demonstrated for all assessments in the State system, ELPA21 and the AELPA (once it is developed and operational).
2.5 – Test Security	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that NDE has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results, specifically practices or procedures for maintaining the security of test materials during ELPA21 test development.
2.6 – Systems for Protecting Data Integrity and Privacy	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that the State has policies and procedures in place to secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools.
3.1 – Overall Validity, including Validity Based on Content	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Documentation of adequate alignment between ELPA21 and the ELP standards the assessment is designed to measure in terms of language knowledge and skills and the depth and breadth of the State’s ELP standards across all proficiency levels, domains, and modalities identified therein (e.g., unredacted blueprints and test form construction guides; strong evidence of alignment; checklists for reviewing items; item development plans; field test plans). • Documentation of alignment between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards (e.g., evidence to support the use of the ELPA21 for exit decisions in EL programs).
3.2 – Validity Based on Linguistic Processes	<p>For ELPA21:</p> <ul style="list-style-type: none"> • Evidence that ELPA21 taps the intended language processes appropriate for each grade level/grade-band as represented in the State’s ELP standards (e.g., results of an independent external alignment study after previous identified gaps have been addressed or cognitive labs to demonstrate that test items assess the intended linguistic processes).

Critical Element	Additional Evidence Needed
3.3 – Validity Based on Internal Structure	For ELPA21: <ul style="list-style-type: none"> • Validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s ELP standards on which the intended interpretations and uses of results are based (e.g., evidence that there are sufficient numbers of high difficulty items on all domains of the lower grade band tests and on the writing, listening and speaking domains in grade 6-8 and 9-12).
3.4 – Validity Based on Relationships with Other Variables	For ELPA21: <ul style="list-style-type: none"> • Evidence that the State’s assessment scores are related as expected with other variables (e.g. relationships of the ELP assessment with other State academic assessments).
4.1 – Reliability	For ELPA21: <ul style="list-style-type: none"> • Reliability evidence, specifically evidence of conditional standard error of measurement of ELPA21 (e.g., for students of higher abilities).
4.2 – Fairness and accessibility	For ELPA21: <ul style="list-style-type: none"> • Evidence that ELPA21 has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in the design, development, and analysis (e.g., evidence of item writer training materials that address accessibility; and evidence of processes in the development of accommodated forms of the tests that ensure accessibility for ELs with disabilities).
4.3 – Full Performance Continuum	For ELPA21: <ul style="list-style-type: none"> • Evidence that ELPA21 provides an adequately precise estimate of student performance across the full performance continuum, including performance for EL students with high and low levels of ELP with different proficiency profiles across the domains of speaking, listening, reading, and writing (e.g., item maps showing difficulty and student ability across the performance continuum in each domain and overall).
4.4 – Scoring	For ELPA21: <ul style="list-style-type: none"> • Evidence of established and documented standardized scoring procedures and protocols for the ELPA21 that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s ELP standards (e.g., detailed information regarding item-level scoring procedures, hand-scoring criteria, and inter-scorer reliability reports). • For ELs who have a disability that precludes assessment in on or more of the required domains, a description of how the State ensures it will ensure that the student is assessed in the remaining domain(s)/component(s) in which it is possible to assess the student, and a description of how this assessment will occur (e.g. a decision tree or other process for determining approvals of such domain exceptions).
4.6 – Multiple Versions of an Assessment	For ELPA21: <ul style="list-style-type: none"> • Evidence that the paper and Braille versions of the ELPA21: <ul style="list-style-type: none"> ○ Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments.

Critical Element	Additional Evidence Needed
	<ul style="list-style-type: none"> ○ Documented adequate evidence of comparability of the meaning and interpretations of the assessment results.
4.7 – Technical Analysis and Ongoing Maintenance	<p>For ELPA21:</p> <ul style="list-style-type: none"> ● Evidence of a system for monitoring, maintaining, and improving, as needed, the quality of the ELPA21, including clear and technically sound criteria for the analyses of the assessment (e.g., evidence that the 2013 plan for quality assurance has been implemented). ● Evidence of adequate technical quality is made public, including on the State’s website.
5.3 – Accommodations	<p>For ELPA21:</p> <ul style="list-style-type: none"> ● Evidence of a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed. ● Evidence that the State ensures that accommodations for all required assessments do not deny ELs with disabilities the opportunity to participate in the assessment and any benefits from participation in the assessment, specifically ELs with the most significant cognitive disabilities.
5.4 – Monitoring Test Administration for Special Populations	<p>For ELPA21:</p> <ul style="list-style-type: none"> ● Evidence that the State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are: <ul style="list-style-type: none"> ○ Consistent with the State’s policies for accommodations. ○ Appropriate for addressing a student’s disability or language needs for each assessment administered. ○ Consistent with accommodations provided to the students during instruction and/or practice. ○ Consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL. ○ Administered with fidelity to test administration procedures.
6.1 – State Adoption of ELP Achievement Standards for All Students	<p>For ELPA21:</p> <ul style="list-style-type: none"> ● Evidence that the State adopted ELP achievement standards that address the different proficiency levels of ELs (e.g., evidence of formal adoption or implementation of the cut scores for the assessment).
6.4 – Reporting	<p>For ELPA21:</p> <ul style="list-style-type: none"> ● Evidence of a timeline for reporting results of the ELP assessment to the public, districts, schools and parents. ● Evidence that reports are provided in an understandable and uniform format.

Critical Element	Additional Evidence Needed
	<ul style="list-style-type: none"><li data-bbox="483 201 1442 302">• Evidence of procedures for orally translating the results of reports for limited English-speaking parents when written language reports are not available in the parent’s native language.<li data-bbox="483 312 1450 407">• Evidence that reports are available, upon request by a parent who is an individual with a disability as defined by the American with Disabilities Act, in an alternative format accessible to that parent.

U. S. DEPARTMENT OF EDUCATION

Peer Review of State Assessment Systems

April State ELP Assessment Peer Review Notes



U. S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202

Note: Peer review notes provide the combined recommendations of the individual peers to the U.S. Department of Education (Department), based on the statute and regulations, the Department's peer review guidance, and the peers' professional judgement of the evidence submitted by the State. These assessment peer review notes, however, do not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for assessment peer review. Although the peer notes inform the Secretary's consideration of each State's assessment system, the Department makes the final decision regarding whether the assessment system meets the requirements in the statute and regulations. As a result, these peer notes may not completely align with the final determination made by the Department.

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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

SECTION 1: STATEWIDE SYSTEM OF STANDARDS AND ASSESSMENTS

Critical Element 1.1 – State Adoption of ELP Standards for All English Learners

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For English language proficiency (ELP) standards:</i></p> <p>The State formally adopted K-12 ELP standards for all ELs in public schools in the State.</p>		<p>N/A: See state-specific evidence</p>
<p>Section 1.1 Summary Statement</p>		
<p>N/A: See state-specific evidence.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 1.2 – Coherent and Progressive ELP Standards that Correspond to the State’s Academic Content Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For ELP standards: The ELP standards:</p> <ul style="list-style-type: none"> • are derived from the four domains of speaking, listening, reading, and writing; • address the different proficiency levels of ELs; and <p>align to the State academic content standards (see definition¹). The ELP standards must contain language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science.</p>	<p>EL 1.2.1 <i>Council of Chief State School Officers English Language Proficiency Standards Development (2013)</i>, pp. 4, 12-19.</p> <p>EL 1.2.2 <i>English Language Proficiency (ELP) Standards (2014)</i>, pp. 31-210.</p> <p>EL 1.2.3 <i>Framework for English Language Proficiency Development Standards Corresponding to the Common Core State Standards and the Next Generation Science Standards (CCSSO, 2012)</i>.</p>	<p>ELPA21 provided evidence about the development of the ELP standards that show that they are derived from the four domains and address different proficiency levels of ELs.</p> <p>The evidence provides support for alignment between the ELP standards and the academic content practices (EL 1.2.2, p. 32-34) rather than between the ELP standards and academic content standards.</p> <p>For States that have adopted the Common Core State Standards for Mathematics and ELA/Literacy and Next Generation Science Standards, peers believe that sufficient evidence is provided that academic content practices correspond to the ELP standards.</p> <p>States that have adopted different standards than Common Core and Next Generation would need to provide additional alignment evidence.</p>
<p>Section 1.2 Summary Statement</p>		
<p>If a member State has adopted standards other than Common Core and Next Generation, they will need to provide additional alignment evidence. <input checked="" type="checkbox"/> No additional evidence is required (for States with common core reading/language arts and mathematics; and next generation science content standards)</p>		

¹ see page 24 of “*A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process*”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 1.3 – Required Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State’s assessment system includes an <i>annual general and alternate ELP assessment</i> (aligned with State ELP standards) administered to:</p> <ul style="list-style-type: none"> • All ELs in grades K-12. 	<p><u>ELPA21’s Evidence:</u></p> <ul style="list-style-type: none"> • EL 1.3.1 <i>White Paper: Developing an Alternate ELPA21 for English Learners with the Most Significant Cognitive Disabilities</i> • EL 1.3.2 <i>Alt-ELPA21 Theory of Action</i> • EL 1.3.3 <i>Alt-ELPA Participation Guidelines</i> • EL 1.3.4 <i>Accessibility and Accommodations Wish List</i> • EL 1.3.5 <i>Addendum to the ELPA21 Peer Review Submission – January 2019: Alternate ELPA21 (Alt-ELPA21)</i> • EL 1.3.6 <i>Classroom Perspectives Report</i> • EL 1.3.7 <i>ICQ - Report</i> • EL 1.3.8 <i>Standards Prioritization Evaluation</i> • EL 1.3.9 <i>Talking Points for State Leaders: Alternate English Language Proficiency Standards and Assessments</i> • EL 1.3.10 <i>Final CCSSO ELP Standards for ELWSCDs Agenda May 2018</i> • EL 1.3.11 <i>ELP Standards for ELWSCD Meeting Participant List</i> • EL 1.3.12 <i>Work group 3 ELWSCD language and CCR_CCSSO Project 040618</i> 	<p>The ELPA21 Consortium provides an annual general ELP assessment, ready to be delivered to ELs in grades K-12, to member states. States will provide evidence of their use of the assessment.</p> <p>Currently, the ELPA21 Consortium is laying the groundwork for the Alternate ELPA21 (Alt-ELPA21) so that member states may include the assessment in their statewide assessment programs.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Section 1.3 Summary Statement

N/A: for consortium review, but evidence may support individual State submissions for ELPA-21. Consortium acknowledges that AELPA is currently not an operational assessment.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 1.4 – Policies for Including All Students in Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> The State has policies that require the inclusion <i>of all public elementary and secondary ELs in the State’s ELP assessment</i>, including ELs with disabilities. 	Reviewed by Department Staff Only	Reviewed by Department Staff Only
Section 1.4 Summary Statement		
N/A: for consortium review		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 1.5 – Meaningful Consultation in the Development of Challenging State Standards and Assessments

(Note: this is a new requirement under ESSA, so it does not apply to standards and assessments adopted prior to the passage of ESSA (December 2015)).

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State has developed or amended challenging <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> • State leaders, including the Governor, members of the State legislature and State board of education (if the State has a State board of education). • Local educational agencies (including those located in rural areas). • Representatives of Indian tribes located in the State. • Teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents. 	<p>Reviewed by Department Staff Only</p>	<p>Reviewed by Department Staff Only</p>
<p>Section 1.5 Summary Statement</p>		
<p>N/A for consortium review</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

SECTION 2: ASSESSMENT SYSTEM OPERATIONS

Critical Element 2.1 – Test Design and Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State’s test design and test development process is well-suited for the content, is technically sound, aligns the assessments to <i>the depth and breadth of the State’s ELP standards</i>, and includes:</p> <ul style="list-style-type: none"> • Statement(s) of the purposes of the assessments and the intended interpretations and uses of results; • Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of <i>the State’s ELP standards</i>, and support the intended interpretations and uses of the results. • Processes to ensure that the ELP assessment is tailored to the knowledge and skills included in <i>the State’s ELP standards</i> and reflects appropriate inclusion of the range of complexity found in the standards. • If the State administers computer-adaptive assessments, the item pool and item selection procedures adequately support the test design and intended uses and interpretations of results. • If the State administers a computer-adaptive assessment, it makes proficiency determinations with respect to the grade in which the 	<ul style="list-style-type: none"> • Statement of purposes and intended interpretations and uses: EL2.1.2 (ELPA21 Theory of Action, p. 3 and p. 10) • Technically sound test blueprints that measure depth and breadth of ELP standards: EL2.1.2.1, <i>ELPA21 Assessment Framework - Summative School Year 2015-2016</i>, p. 7-13 EL2.1.2.3a-h <i>Field Test Slots All Form 1A ELPA21 ONLINE Summative Test Form (2017), Kindergarten - grade 12</i> EL2.1.2.4 <i>Blueprint Drafts Phase 3 (2016)</i> • Tailored to knowledge and skills in the ELP standards and includes the range of complexity: EL2.1.3.1 <i>Independent Evaluation of the English Language Proficiency Assessment for the 21st Century [ELPA21] Item Pool Alignment</i> EL 2.1.3.1.1 <i>ELPA21 Internal Memo: ELPA21 2019-2020 Activities</i> (This document is a bullet-point to-do list to address deficiencies in the alignment.) • Computer-adaptive assessments: N/A • Portfolio assessment: N/A 	<ul style="list-style-type: none"> • Statement of purposes and intended interpretations and uses: Peers found the evidence for the statement of purposes and intended interpretations and uses to be sufficient. • Technically sound test blueprints that measure depth and breadth of ELP standards: Peers reviewed the test blueprint evidence but noted that it was so heavily redacted that it was virtually impossible to determine the extent to which it results in the development of assessments that are technically sound and measure the depth and breadth of ELP standards. Test blueprint, EL 2.1.2.1, Table 5.1 – it is not clear how tasks/points are distributed across standards within a domain. Information is redacted and makes interpretation of tables nearly impossible. Test form planner documents, EL.2.1.2.3a-h heavily redacted so that interpretation is made virtually impossible. EL.2.1.2.4, Blueprint – document heavily redacted. It’s not possible to evaluate. • Tailored to knowledge and skills in the ELP standards and includes the range of complexity: The consortium describes an alignment study that they refer to as “independent” and “external” (EL 2.1.3.1) but it was conducted by CRESST staff.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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<p>student is enrolled and uses that determination for all reporting. If the State administers a content assessment that includes portfolios, such assessment may be partially administered through a portfolio but may not be <i>entirely</i> administered through a portfolio.</p>		<p>Although it is stated that the staff working on the alignment were not part of the test development, it is certainly not external and an in-house alignment study gives reviewers pause about its independence. The study highlights insufficient alignment in a number of areas. A quote from this document (p. 74) "...showed moderate to large amounts of under-representation for Standards 2, 5, and 6. The only exception was for Standard 2 for Grade Band 4–5, which had adequate coverage. Standard 2 also showed large proportions of potential false negative ratings, both within and across grade bands. Not surprisingly, based on the blueprint results, this was particularly problematic for Grade Band 4–5 as well as the two secondary grade bands.</p> <p>EL 2.1.3.1.1 is a memo indicating how some of the deficiencies reported will be corrected in 2019 and 2020, although no specific timeline is listed, and peers request evidence that the changes remedy the deficiencies. Peers also recommend that future alignment studies be conducted by an external group rather than CRESST.</p> <p>The evidence submitted and in particular the alignment study itself does not provide evidence that shows that each assessment form supports the assertion that each test form contains items that are well aligned to the breadth and depth of the ELP standards, across all proficiency levels, domains, and modalities.</p> <ul style="list-style-type: none"> • Computer-adaptive assessments: N/A • Portfolio assessment: N/A
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Section 2.1 Summary Statement

x The following additional evidence is needed/provide brief rationale:

- Provide test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of *the State's ELP standards*, and support the intended interpretations and uses of the results. This could take the form of *unredacted* blueprints or, in the case the consortium does not want to provide unredacted documents, evidence that includes but is not limited to the following:
 - *Information on how many standards each test form is assessing and how many standards are not assessed by form and grade or grade band.*
 - *The proportion of hand-scored items by grade-band domain versus the proportion of machine-scored items.*
 - *Rationale for assessing/not assessing standards.*
 - *Description of cognitive complexity of the ELP standards as designed/measured on the assessments.*
 - *Documentation and description of how the test blueprints support the intended interpretation and uses of the results as expressed in ELPA21's mission, vision and score reporting specifications (see above).*
- Peers request the results of a new, truly external and independent, alignment study once the changes in EL 2.1.3.1.1 have been implemented. Peers noted that there are additional areas of misalignment indicated in the study that are not addressed in EL 2.1.3.1.1 that should also be rectified. The existing alignment study is also by item pool rather than by form and peers suggest that the alignment evidence submitted in the future be by test form.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 2.2 – Item Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State uses reasonable and technically sound procedures to develop and select items to:</p> <ul style="list-style-type: none"> Assess student English language proficiency based on the <i>State’s ELP standards</i> in terms of content and language processes. 	<p>EL 2.1.2.1 <i>ELPA21 Assessment Framework - Summative School Year 2015-2016</i> (pp. 19-25) EL 2.2.1 <i>ELPA21 Item Development Plan Version 2.0 (2014)</i> EL 2.2.2a-f <i>ELPA21 Task and Item Specifications, Kindergarten through Grades 9-12 (2016)</i> EL 2.2.3 <i>ELPA21 Item Writer Training Plan (2014)</i> EL 2.2.4 <i>Editorial Review Plan (2014)</i> EL 2.2.5 <i>Editorial Style Guide (2019)</i> EL 2.2.6 <i>Item Development Process Report (2015)</i> EL 2.2.7 <i>Item Cognitive Laboratory Report (2015)</i> – related to technology-enhanced items only EL 2.2.8 <i>Spring 2015 ELPA21 Field Test Technical Report (2016)</i>, pp. 13-16. EL 2.2.9 <i>Item Analysis and Calibration (2017)</i></p>	<p>Peers found item development procedures sufficient; however, in light of the alignment study results described in critical element 2.1 above, peers have concerns about selection and inclusion of more difficult items, lack of items in terms of language and content processes, and lack of items measuring certain standards.</p>
<p>Section 2.2 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> Evidence showing how the consortium will address the lack of difficult items, items measuring certain standards, and items on some language and content processes (e.g., there were no interactive items in some grade bands, and all grade bands had under-representation of items testing the interactive modality.) Analyses also revealed that alignment “met or exceeded the Grade Band 4–5 blueprint specifications for only nine of the 17 traits.” (EL 2.1.3.1, p. 50). Peers recommend that the consortium identify the cause(s) of these issues and determine whether their item writing process needs to be modified accordingly. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 2.3 – Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> • Has established and communicates to educators clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations; • Has established procedures to ensure that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional support personnel, and other appropriate staff receive necessary training to administer assessments and know how to administer assessments, including, as necessary, alternate assessments, and know how to make use of appropriate accommodations during assessments for all students with disabilities; • If the State administers technology-based assessments, the State has defined technology and other related requirements, included technology-based test administration in its standardized procedures for test administration, and established contingency plans to address possible technology challenges during test administration. 	<ul style="list-style-type: none"> • Clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations: <ul style="list-style-type: none"> EL 2.3.1.1a-f <i>Assessment Guides, Kindergarten through Grades 9-12</i> EL 2.3.1.2 <i>Accessibility and Accommodations Manual (2018-19)</i> EL 2.3.1.3 <i>Quick Start Checklists (2016)</i> EL 2.3.1.4 <i>Test Coordinator's Manual (2016)</i> EL 2.3.1.5a-f <i>Directions for Administration, Paper and Pencil, Kindergarten through Grades 9-12</i> EL 2.5.1.2a-f <i>Directions for Administration, Braille Version, Kindergarten through Grades 9-12</i> EL 2.5.1.3a-b <i>Directions for Administration ELPA21 Summative Writing Supplement (Spring 2018, Kindergarten and Grade 1)</i> EL 2.5.1.4 <i>ELPA21 Spring 2018 Summative Test Administration Manual (TAM) for Online Testing (2018)</i> • Procedures to ensure that appropriate teachers and personnel can administer the assessments and use appropriate accommodations: <ul style="list-style-type: none"> EL 2.3.2.1 <i>Training Webinar Plan (2016)</i> EL 2.3.2.2 <i>Accessibility Features and Accommodations (2016)</i> EL 2.3.2.3 <i>Administration Site Overview (2016)</i> EL 2.3.2.4 <i>Student Testing Experience (2016)</i> EL 2.3.2.5 <i>Student Testing Session (2016)</i> EL 2.3.2.6 <i>Testing Lab Management (2016)</i> EL 2.3.2.7 <i>Platform Overview (2016)</i> EL 2.3.2.8 <i>Troubleshooting (2016)</i> 	<ul style="list-style-type: none"> • Clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations: <p>ELPA 21 established clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations. Peers commend the consortium for the detailed documentation for all versions of the assessment. The participating states are responsible for communicating these procedures to educators.</p> <p>However, see comments on section 5.3.</p> • Procedures to ensure that appropriate teachers and personnel can administer the assessments and use appropriate accommodations: <p>ELPA 21 presented sufficient evidence demonstrating that teachers (including teachers of SWDs and ELs) and other appropriate personnel can be provided with a variety of training materials necessary to administer the ELP assessment including the use of appropriate accommodations. The participating states are responsible for providing such training to appropriate personnel; state-specific evidence will be needed to complement the consortium evidence in this regard.</p> • Defined requirements and contingency plans for technology-based assessments: <p>ELPA 21 created documents addressing technology requirements (hardware, headsets) as well as a</p>

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	<p>EL 2.3.2.9 <i>Workstation Preparation (2016)</i> EL 2.3.2.10 <i>Interactive Demos Access Instructions (2016)</i></p> <ul style="list-style-type: none"> Defined requirements and contingency plans for technology-based assessments: <p>EL 2.3.3.1 <i>Operational Hardware Specifications</i> EL 2.3.3.2 <i>Operational Headset Specifications</i> EL 2.3.2.8 <i>Troubleshooting (2016)</i> EL 2.5.1.4 <i>ELPA21 Spring 2018 Summative Test Administration Manual (TAM) for Online Testing (2018), pp. 7, 24, and 41.</i></p>	<p>document addressing possible technology challenges (troubleshooting). In addition, the TAM for online testing addresses the possible issues that may arise during the online testing session.</p>
<p>Section 2.3 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required No additional evidence is required from the consortium. However, State-specific evidence should be reviewed regarding 1) how test administration procedures are communicated to educators and 2) how appropriate personnel are trained to administer the test.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 2.4 – Monitoring Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. Monitoring of test administration should be demonstrated for all assessments in the State system: the general ELP assessments and the AELPA.</p>	<p>EL 2.4.1 <i>ELPA21 2017-18 Summative Alerts</i></p>	<p>The online administration of ELPA21 is monitored by the testing vendor, which receives and processes alerts of test irregularities. The state in which the irregularity occurs, the date of the occurrence, item identification, grade level, language domain, and student identification number, as well as the recorded response the reflects the irregularity are noted.</p>
<p>Section 2.4 Summary Statement</p>		
<ul style="list-style-type: none"> • N/A for consortium review. This evidence can support a State specific submission for use of the ELPA21, but in and of itself is not sufficient to meet the requirements for this critical element. States will need to supplement this evidence. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 2.5 – Test Security

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results through:</p> <ul style="list-style-type: none"> • Prevention of any assessment irregularities, including maintaining the security of test materials (both during test development and at time of test administration), proper test preparation guidelines and administration procedures, incident-reporting procedures, consequences for confirmed violations of test security, and requirements for annual training at the district and school levels for all individuals involved in test administration; • Detection of test irregularities; • Remediation following any test security incidents involving any of the State’s assessments; • Investigation of alleged or factual test irregularities. • Application of test security procedures to the general ELP assessments and the AELPA. 	<p>EL 2.5.1.1 <i>ELPA21 Implementation Manual (2017-18)</i>, pp. 14-27, 35-36, 40-41, 44, Appendices A, B, C, and D. EL 2.3.1.5a-f <i>Directions for Administration, Paper and Pencil, Kindergarten through Grades 9-12 (2017-18)</i> EL 2.5.1.2a-f <i>Directions for Administration, Braille Version, Kindergarten through Grades 9-12 (2017-18)</i> EL 2.5.1.3a-b <i>Directions for Administration ELPA21 Summative Writing Supplement, Kindergarten and Grade 1 (Spring 2018)</i> EL 2.3.1.2 <i>Accessibility and Accommodations Manual (2018-19)</i>, Appendix E. EL 2.5.1.4 <i>ELPA21 Spring 2018 Summative Test Administration Manual (TAM) for Online Testing</i>, pp. 2, 36. EL 2.5.1.5 <i>Data Sharing Agreement (2017)</i></p>	<ul style="list-style-type: none"> • Prevention of assessment irregularities: Submitted documents focus on prevention of assessment irregularities during test administration. There is a lack of evidence/description of how security of test materials is maintained during test development. States will need to provide evidence of the use/application of the ELPA21-prepared documents and guidelines or alternate processes for the prevention of assessment irregularities during test administration. • Detection of test irregularities: Peers could not locate a description or recommendation for the application of data forensics for the detection of test irregularities. Routine data analytics to detect test irregularities should be conducted. This is possibly conducted at the State level and State-specific evidence should be reviewed. • Remediation following test security incidents: For the remediation following any test security incidents, examples of actions following a breach should be provided. Peers did not see evidence of the availability of breach forms. Also, if an item is breached, are tests rescored without that item? It would be helpful to provide documentation of how breaches are handled at the consortium level. <p>ELPA 21 states that test security is a matter to be supervised by each member State. However, there are instances where test security breaches can cross state borders. As such, there appears to be the need for consortium-wide oversight of some matters. For example, if there is a breach in one state, it could be expected that the consortium assists in evaluating whether the assessment</p>

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		<p>item should be deactivated (or some other action taken) for all states. Consortium-wide data analyses after test administration can also assist in ensuring that a possible irregularity or breach of an item, did not impact test results.</p> <p>It was not clear to peers whether all scoring is centralized or is State-specific. State-provided scoring evidence should be reviewed with test security in mind.</p> <ul style="list-style-type: none"> Investigation of irregularities: This is left to the States; no consortium-provided documentation was provided. State-specific evidence will need to be reviewed. N/A: there is not currently an AELPA in place.
<p>Section 2.5 Summary Statement</p>		
<p><u>x</u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> The consortium should provide evidence of test security during the test development process. Member States will need to provide evidence regarding scoring and test security, data forensics that may be conducted, and processes for investigating and remedying irregularities. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has policies and procedures in place to protect the integrity and confidentiality of its test materials, test-related data, and personally identifiable information, specifically:</p> <ul style="list-style-type: none"> To protect the integrity of its test-related data in test administration, scoring, storage and use of results; To secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools; To protect personally identifiable information about any individual student in reporting, including defining the minimum number of students necessary to allow reporting of scores for all students and student groups. 	<ul style="list-style-type: none"> Protect integrity of test-related data in test administration: EL 2.5.1.1 ELPA21 Implementation Manual (2017-18), pp. 14-27, 35-36, 40-41, 44, Appendices A, B, C, and D. Secure student-level assessment data: EL 2.5.1.1 ELPA21 Implementation Manual (2017-18), pp. 17-27, Appendix A EL 2.5.1.4 ELPA21 Spring 2018 Summative Test Administration Manual (TAM) for Online Testing, p. 1. EL 2.5.1.5 Data Sharing Agreement (2017) Protect personally identifiable information: The consortium’s narrative states, “Additionally, states are able to configure their reports of ELPA21 scores to suppress and/or de-identify data to protect students' PII as required by state policies.” Minimum N sizes are determined by the State. 	<ul style="list-style-type: none"> Protect integrity of test-related data in test administration: ELPA21 provided evidence of sample procedures for protecting data integrity to member States; State-specific evidence should be reviewed. Secure student-level assessment data: ELPA21 provided some guidance on student-level data security to member States; State-specific evidence should be reviewed as well, to determine to what extent this guidance is transmitted to districts and schools and followed. Protect personally identifiable information: State-specific evidence regarding individual student data and minimum N sizes should be reviewed.
<p>Section 2.6 Summary Statement</p>		
<p><u> x </u> No additional evidence is required from the consortium; however, State-specific evidence should be reviewed regarding all of the points of this critical element.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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SECTION 3: TECHNICAL QUALITY – VALIDITY

Critical Element 3.1 – Overall Validity, Including Validity Based on Content

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate overall validity evidence for its assessments consistent with nationally recognized professional and technical testing standards. The State’s validity evidence includes evidence that:</p> <p><i>The State’s ELP assessments</i> measure the knowledge and skills specified in the State’s ELP standards, including:</p> <ul style="list-style-type: none"> • Documentation of adequate alignment between the State’s ELP assessment and the ELP standards the assessment is designed to measure in terms of language knowledge and skills, the depth and breadth of the State’s ELP standards, across all proficiency levels, domains, and modalities identified therein; • Documentation of alignment (as defined) between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards; • If the State administers an AELPA aligned with alternate ELP achievement standards, the assessment shows adequate linkage to the State’s ELP standards in terms of content match (i.e., no unrelated content) and that the breadth of content and linguistic complexity 	<ul style="list-style-type: none"> • EL 1.3.5 <i>Addendum to the ELPA21 Peer Review Submission – January 2019: Alternate ELPA21 (Alt-ELPA21)</i> • EL 2.1.2 <i>ELPA21 Theory of Action (2014)</i>, pp. 5, 10 • EL 3.1.1 <i>A Quality Assurance Plan for ELPA21</i> • EL 2.1.2.1 <i>ELPA21 Assessment Framework-Summative School Year 2015-2016</i> • EL 2.1.2.1 <i>ELPA21 Assessment Framework-Summative School Year 2015-2016</i>, pp. 7-13, 16, 24-25 • EL 2.1.3.1 <i>Independent Evaluation of the English Language Proficiency Assessment for the 21st Century (ELPA21) Item Pool Alignment (2019)</i>, • EL 2.2.2 a-f <i>ELPA21 Task and Item Specification Guidelines</i> • EL 2.2.3 <i>Item Writer Training Plan</i> • EL 2.2.6 <i>Item Development Process Report</i>, pp. 49-50, Appendix A • EL 2.1.3.1.1 <i>ELPA21 Internal Memo: ELPA21 2019-2020 Activities (2019)</i> • N/A: There is no AELPA. 	<ul style="list-style-type: none"> • See comments in section 2.1 above. <p>EL 2.2.1, p. 3 references an appendix that peers could not locate: “See Appendix A for the Checklist for Reviewing Items.”</p> <p>The ELPA narrative indicates that EL 2.2.1 “shows item development and field test plan to ensure coverage of, and alignment to, ELP Standards (p. 8)” but p. 8 is a table of deliverables rather than an item development and field test plan.</p> <ul style="list-style-type: none"> • Peers could not locate validity evidence supporting the use of the assessment results for arguably its most important use: an exit from the EL program. <p>The quality assurance plan (EL 3.1.1) is just that, a plan. Has it been implemented? Documentation to this effect should be provided.</p> <ul style="list-style-type: none"> • N/A: There is no AELPA.

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determined in test design is appropriate for ELs who are students with the most significant cognitive disabilities.		
Section 3.1 Summary Statement		
<u>x</u> The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none">• See required additional evidence in section 2.1.• Checklist for Reviewing Items and Item Development and Field Test Plan referenced in submission but not located by Peers.• Documentation that the assessment results support exit decisions for the EL program.• Documentation that the quality assurance plan (EL 3.1.1) has been implemented.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 3.2 – Validity Based on Linguistic Processes

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate validity evidence that its assessments tap <i>the intended language processes</i> appropriate for each grade level/grade-band as represented in the State’s ELP standards.</p>	<p>EL 2.1.3.1, <i>Independent Evaluation of the English Language Proficiency Assessment for the 21st Century (ELPA21) Item Pool Alignment</i></p> <p>EL 2.1.3.1.1, <i>ELPA 21 Internal Memo: ELPA21 2019-2020 Activities</i></p>	<p>See comments in critical element 2.1 above. The alignment study (EL 2.1.3.1) clearly shows that the assessments do not tap some intended language processes successfully, and EL 2.1.3.1.1 indicates some steps the consortium plans to take to address these deficiencies. Deficiencies listed not only in 2.1.3.1.1 but also more broadly in 2.1.3.1 need to be addressed. An independent and external alignment study after changes have been made or more complete cognitive labs (other than just of the technology-enhanced items in EL 2.2.7) could address this critical element.</p>
<p>Section 3.2 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Results of an independent and external alignment study after deficiencies are addressed or more complete cognitive labs (not limited to the technology-enhanced items in EL 2.2.7). 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 3.3 – Validity Based on Internal Structure

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s <i>ELP standards</i> on which the intended interpretations and uses of results are based.</p>	<p>EL 3.3.1, <i>ELPA21 2017-18 Technical Report, Part 1</i> EL 3.3.2, <i>ELPA21 2017-18 Technical Report Part 2_Nebraska Example</i></p>	<p>EL 3.3.1 (p. 32) states, “The pooled analysis results are included in Section 11 in the appendix for pooled analysis. It shows that the student abilities are generally higher than the test difficulties in all domain tests, except the grades 6–8 and grades 9–12 reading tests where the test difficulties well match student abilities.” This issue must be addressed.</p> <p>Peers also could not locate Table S24.1 (referenced in EL 3.3.1).</p>
<p>Section 3.3 Summary Statement</p>		
<p><u> </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Peers request that the consortium address the issues raised above (e.g., by developing more difficult items in domains and grade levels where those are lacking) and provide data of their quality in a subsequent technical report. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 3.4 – Validity Based on Relations to Other Variables

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate validity evidence that the State’s assessment scores are related as expected with other variables.</p>	<p>EL 3.4.1 <i>ELPA21 Summative Assessment Validity Evidence Regarding Relationships of Test Results with Other Variables (2019), pp. 2-14</i></p>	<p>EL 3.4.1 provides some evidence of a relationship between ELPA scores and teacher ratings as well as between assessment scores of EL and English only students.</p> <p>The data from the teacher rating study indicates a mismatch between proficiency levels on the ELP and teacher ratings. EL 3.4.1, p.13: “Across all grade bands, teachers judged a higher proportion of students to be proficient. The differences between teachers and ELPA21 are particularly large in the 6-8 and 9-12 grade bands”.</p> <p>A quote from the ELPA 21 submission (p. 51): “ELPA21’s first operational administration was the spring of 2016, with item calibrations finalized in the spring of 2017. Therefore, there are few data available to examine the relationship between the scores on ELPA21 with other assessments. In addition, there are not data yet available to investigate the relationship between ELPA21 scores and college entrance and performance outcomes.”</p> <p>Peers request evidence showing the relationship between ELP scores and other measures (e.g., content tests, college entrance exams, etc.)</p>
<p>Section 3.4 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> Although the consortium provided some limited evidence about the relationship between ELP scores and teacher ratings, peers request additional evidence showing the relationship between ELP scores and other measures (e.g., content tests, college entrance exams, etc.) The consortium’s submission indicates that research was underway at the time of submission (p. 52 of the narrative states, “Research that has studied how ELPA21 scores relate to other variables with similar constructs, growth on the same construct, and how one score scale can predict outcomes on other assessments is in progress across consortium member states.” Peers request the results of such research. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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SECTION 4: TECHNICAL QUALITY – OTHER

Critical Element 4.1 – Reliability

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards. If the State’s assessments are implemented in multiple States, measures of reliability for the assessment overall and each student group consistent with nationally recognized professional and technical testing standards, including:</p> <ul style="list-style-type: none"> • Test reliability of the State’s assessments estimated for its student population (<i>for ELP assessments, including any domain or component sub-tests, as applicable</i>); • Overall and conditional standard error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable; • Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results; • For computer-adaptive tests, evidence that the assessments produce test forms with adequately 	<ul style="list-style-type: none"> • Test reliability: EL 3.3.1 ELPA21 2017-18 Technical Report Part 1, p. 17. EL 3.3.2 ELPA21 2017-18 Technical Report Part 2_Nebraska Example, Section 6 Figures S6.1 – S6.10, Section 7 Figures S7.1 – S7.6, Section 8 Figures S8.1, S8.2. • Overall and conditional SEMs: EL 3.3.1 ELPA21 2017-18 Technical Report Part 1, p. 18. EL 3.3.2 ELPA21 2017-18 Technical Report Part 2, Section 6 Figures S6.1 – S6.10, Section 7 Figures S7.1 – S7.6. • Consistency and accuracy estimates: EL 3.3.1 ELPA21 2017-18 Technical Report Part 1, pp.18-20. EL 3.3.2 ELPA21 2017-18 Technical Report Part 2_Nebraska Example, Section 8 Figures S8.1, S8.2. • N/A: ELPA21 is not computer-adaptive. 	<p>General note: The consortium references EL 3.3.2 “Nebraska Example”. It is unclear the extent to which the sample data from Nebraska is representative of the consortium as a whole.</p> <p>Peers noted that many of the figures in the Technical Report rely on color distinctions that render them not universally accessible (e.g., EL 3.3.2, p. 100). The consortium might want to consider adding text and tables or redesigning figures to address this accessibility concern.</p> <ul style="list-style-type: none"> • Test reliability: Reliability information is provided for the online assessment, which is the majority of the administrations, by domain. It is unclear whether Braille and paper versions are based on the same items. Data on the reliability of those alternate forms is not provided. <p>Although marginal reliabilities are generally in the acceptable range, there are some instances in the EL 3.3.2 report that are lower (e.g., grade 1 listening, p. 100).</p> <ul style="list-style-type: none"> • Overall and conditional SEMs are included by domain (EL 3.3.2, p. 111-116) <p>Peers noted that there is more measurement error among higher ability students based on the CSEMs. Peers believe this is likely a result of the lack of a sufficient number of difficult items. See comments in critical element 2.1.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>precise estimates of <i>an EL's English proficiency</i>.</p>		<p>A quote from EL 3.3.1 (p. 27), "Classification accuracy (CA) analysis investigates how precisely students are classified into each performance level. By definition, classification consistency (CC) analysis investigates how consistently students are classified into each performance level across two independent administrations of equivalent forms. Since obtaining test scores from two independent administrations is not feasible due to issues such as logistics and cost constraints, the CC index is computed with the assumption that the same test is independently administered twice to the same group of students. For information on classification accuracy and consistency see p. 27-30."</p> <p>Peers recommend that the consortium conduct a study to get classification consistency data based on two independent administrations of equivalent forms.</p> <p>Regarding the CCs provided, they seem low (dropping below .7 and at times, below .5 or .6). Classification accuracy and consistency is in general lower for cuts 3 and 4 than for cuts 1 and 2.</p> <ul style="list-style-type: none"> • N/A: ELPA21 is not computer-adaptive.
<p>Section 4.1 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Refer to comments in critical element 2.1 related to test development, especially related to students at higher proficiency levels and its potential impact on CSEMs. 		

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Critical Element 4.2 – Fairness and Accessibility

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For all State ELP assessments, assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition²).</p> <p>For ELP assessments, the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis.</p>	<p>EL 3.1.1, <i>A Quality Assurance Plan for ELPA21: Gathering the Evidence to Evaluate Validity, Reliability, Fairness, and Utility</i> (2013)</p> <p>EL 2.1.2 <i>ELPA21 Theory of Action</i> (2014), p. 5.</p> <p>EL 2.1.2.1 <i>ELPA21 Assessment Framework-Summative School Year 2015-2016</i>, pp. 14-15.</p> <p>EL2.2.1 <i>Item Development Plan</i> (2014), pp. 1-4.</p> <p>EL 2.3.1.2 <i>Accessibility and Accommodations Manual (2018-2019)</i></p>	<p>Peers identified evidence of steps to ensure the accessibility of the online assessment. However, peers could only locate a statement regarding item writer training and Universal Design (EL 2.2.1, p. 1-4), not the contents of such training. Peers request item writer training materials to better be able to determine how central this is in the test design.</p> <p>Regarding fairness, peers note that DIF statistics are provided for the online assessment, but could not locate them for Braille and paper versions. This is probably the result of small N sizes for those versions, but this should be indicated clearly.</p> <p>Peers noted that there is relatively less documentation of the development of Braille and paper versions of the test, as well as the extent to which accommodations do (or do not) make the test accessible.</p>
<p>Section 4.2 Summary Statement</p>		
<p><u> </u>_x The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Peers request item writer training materials to better be able to determine how central UDL is in the test design. • Further documentation that specifically addresses the fairness and accessibility of the ELP assessment for ELs with disabilities. 		

² see page 28 of “*A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process*”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 4.3 – Full Performance Continuum

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for ELP assessments, including performance for EL students with high and low levels of English language proficiency and with different proficiency profiles across the domains of speaking, listening, reading, and writing.</p>	<p>EL 2.2.8 <i>Spring 2015 ELPA21 Field Test Technical Report (2016)</i>, Table 3.3, p. 16; pp. 19-25. EL 3.1.1.2 <i>ELPA21 Standard Setting Technical Report (2016)</i> EL 3.1.1.3a-f <i>Standard Setting Workshop Materials (IOIBs)</i> EL 2.1.1.1 <i>2017-18 Summative Score Reporting Specifications</i> EL 3.3.1 <i>ELPA21 2017-18 Technical Report Part 1</i> EL 3.3.2 <i>ELPA21 2017-18 Technical Report Part 2_Nebraska Example</i></p>	<p>Peers could not locate item maps showing item difficulty and student ability across the continuum in each domain and overall. The CSEMs (addressed in critical element 4.1) would suggest that there is not adequate precision, at least at higher levels of student proficiency.</p>
<p>Section 4.3 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Item maps showing item difficulty and student ability across the continuum in each domain and overall (by grade/grade span). 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 4.5 – Multiple Assessment Forms

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers multiple forms of <i>ELP assessments</i> within or across grade-spans, ELP levels, or school years, the State ensures that all forms adequately represent the State’s <i>ELP standards</i> and yield consistent score interpretations such that the forms are comparable within and across settings.</p>	<p>The consortium’s narrative indicates that the three forms (A, B, and C) of the online assessment are “nearly identical” because they use the same items in different orders. EL 2.2.9 <i>Item Analysis and Calibration (2017)</i> EL 4.5.2 <i>ELPA21 Internal Memo: IRT Calibration Implications (2019)</i>.</p>	<p>EL 4.5.2, p. 1: “The total of 2113 items were concurrently calibrated...”</p> <p>In spite of concurrent calibration procedures, some peers thought that item ordering could potentially affect student ability estimates.</p>
<p>Section 4.5 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 4.6 – Multiple Versions of an Assessment

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers any of its assessments in multiple versions within a subject area (e.g., online versus paper-based delivery), grade level, or school year, the State:</p> <ul style="list-style-type: none"> Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments; Documented adequate evidence of comparability of the meaning and interpretations of the assessment results. 	<p>EL 2.1.2.1 <i>ELPA21 Assessment Framework - Summative School Year 2015-2016</i> (p. 15) EL 2.1.2.3 a-f <i>Field Test Slots All Form 1A ELPA21 ONLINE Summative Test Form (2017)</i> EL 2.2.2a-f <i>ELPA21 Task and Item Specifications (2016)</i> EL 2.2.6 <i>Item Development Process Report (2015)</i>, pp. 53-56 EL 2.2.9 <i>Item Analysis and Calibration (2017)</i> EL 3.3.3 <i>ELPA21 AAA TMT Review of Items Showing Differential Item Functioning for English Language Learners with Disabilities</i> EL 4.6.1 <i>ELPA21 Summative and Screener PP Style Guide TB 020218</i> EL 4.6.2 <i>Examples of Paper-based Representation of Online Items</i> EL 4.6.3 a-f <i>ELPA21 Paper and Pencil Summative Test Form Planners (2017)</i> EL 4.6.4 <i>A Data-informed, Judgment-based Procedure for Linking Cut Scores on Alternative Assessment Formats</i> EL 4.6.5 a-f <i>ELPA21 Braille Summative Test Form Planners (2017)</i></p>	<ul style="list-style-type: none"> Peers could not locate sufficient evidence about the design and development process of paper and Braille forms to determine whether they support comparable interpretations of results across versions. <p>Evidence could include data such as whether the same blueprint is used, what number of items from the online version must be modified for paper/Braille versions.</p> <ul style="list-style-type: none"> Peers could not locate adequate evidence of comparability of the meaning and interpretations of the assessment results. This could be achieved with further details about the test design and development of the Braille and paper/pencil versions.
<p>Section 4.6 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> Details about the design and development process of paper and Braille forms to justify the comparability of different versions. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 4.7 – Technical Analysis and Ongoing Maintenance

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State:</p> <ul style="list-style-type: none"> Has a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of all of the assessments in its assessment system (i.e., general assessments and alternate assessments), and Evidence of adequate technical quality is made public, including on the State’s website. 	<ul style="list-style-type: none"> The consortium’s narrative indicates, “At its inception, ELPA21 developed a quality assurance plan that outlined the required steps to evaluate the technical quality of its assessment system including test development, implementation, interpretation, and use of results (EL 3.1.1 <i>A Quality Assurance Plan for ELPA21 (2013)</i>). This plan serves as a conceptual framework for identifying, collecting, and evaluating evidence concerning the fairness of testing procedures, the reliability of test scores, and the validity of test-based interpretations. The development of a continuous quality assurance plan would follow the general approach of EL 3.1.1.” (p. 83). Consortium-provided evidence in this section was not relevant: EL 4.7.2.1 <i>Alt-ELPA A Path Forward (ASES-ELL SCASS) October 2017</i> EL 4.7.2.2 <i>Fairness in Testing ELs and ELSWDs_MC</i> EL 4.7.2.3 <i>Fairness in Testing ELs and ELSWDs_NS</i> 	<ul style="list-style-type: none"> Peers could not locate evidence that the plan outlined in EL 3.1.1 has been implemented, although the timeline (p. 19) indicates that the plan should have been implemented in 2016. Consultation with the governing bodies as outlined in the consortium’s narrative is appropriate, but it does not constitute a systematic plan. Although the consortium provided some evidence in this section of presentations to CCSSO and some public documents on the ELPA21 website, it is not evidence of technical quality. State-provided evidence should be reviewed for this portion of critical element.
<p>Section 4.7 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> The consortium should provide a systematic quality control plan or data showing that a plan like the one in EL 3.1.1 has in fact been implemented. State-specific evidence should be reviewed to determine whether information about technical quality of the test is made public, including on the State’s website. 		

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SECTION 5: INCLUSION OF ALL STUDENTS

Critical Element 5.1 – Procedures for Including Students with Disabilities

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students⁴ with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs.</p> <ul style="list-style-type: none"> • For ELP assessments, policies that require the inclusion of an EL with a disability that precludes assessment of the student in one or more of the required domains (speaking, listening, reading, and writing) such that there are no appropriate accommodations for the affected component (the State must assess the student’s English language proficiency based on the remaining components in which it is possible to assess the student). 		<p>N/A: State-specific (although the consortium provided some additional evidence)</p>
<p>Section 5.1 Summary Statement</p>		
<p>No additional evidence is required for the consortium.</p>		

⁴ For ELP peer review, this refers to ELs with disabilities.

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Critical Element 5.2 – DOES NOT APPLY to ELP Assessment Peer Review

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> Note: This critical element does not apply to ELP assessments, as the requirements only apply to the inclusion of ELs in academic assessments. 		N/A
Section 5.2 Summary Statement		
<ul style="list-style-type: none"> N/A 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 5.3 – Accommodations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State makes available appropriate accommodations and ensures that its assessments are accessible to students with disabilities and ELs, including ELs with disabilities. Specifically, the State:</p> <ul style="list-style-type: none"> • Ensures that appropriate accommodations are available for ELs; • Has determined that the accommodations it provides (1) are appropriate and effective for meeting the individual student’s need(s) to participate in the assessments, (2) do not alter the construct being assessed, and (3) allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations; • Has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed. • Ensures that accommodations for all required assessments do not deny students with disabilities or ELs the opportunity to participate in the assessment and any benefits from participation in the assessment. 	<ul style="list-style-type: none"> • EL 2.3.1.2 <i>Accessibility and Accommodations Manual</i> (2018-19), pp. 2-3, 6-15, Figure 1, Appendices C-E • EL 2.3.1.2 <i>Accessibility and Accommodations Manual</i> (2018-19), p. 9, Appendix B • EL 2.2.8 <i>Spring 2015 ELPA21 Field Test Technical Report</i> (2016), pp. 13-16. • EL 3.3.3 (Redacted) <i>ELPA21 AAA TMT Review of Items Showing Differential Item Functioning for English Language Learners with Disabilities</i> • According to the consortium’s narrative (p. 93), exceptional requests are handled by the States. • From the consortium’s narrative: “ELPA21 acknowledges that each member state, consistent with its state policy and practice, is responsible for ensuring accommodations for all assessments do not deny students the opportunity to participate in the assessment and any benefits from participation in the assessment.” (p. 93). 	<ul style="list-style-type: none"> • Peers believe that the consortium has made available an appropriate list of accommodations for ELs on the ELPA21. • Some peers believe that insufficient evidence was provided showing the effectiveness of accommodations and that the accommodations “allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations.” <p>EL 2.3.1.2 indicates that some accommodations may not be used consistently across member States, rendering comparisons of ELPA21 scores problematic. Specifically, some vendors allow unlimited replays in the Listening domain (p. 14) and unlimited re-recordings in the Speaking domain (p. 13) as a normal part of test administration, while for others it is an accommodation. Peers suggest that the consortium have a standardized policy that would help ensure consistency. Also, some vendors allow all universal features to be disabled (p. i) whereas others do not.</p> <ul style="list-style-type: none"> • State-provided evidence should be reviewed regarding exceptional requests. <p>The consortium does not currently play a role in reviewing or allowing exceptional requests. Peers recommend that the consortium have a mechanism by which any exceptional accommodations that occur multiple times can be discussed at the consortium level and be added to the standard list of accommodations as deemed appropriate.</p> <ul style="list-style-type: none"> • State-provided evidence should be reviewed regarding the extent to which accommodations for all required assessments do not deny students the opportunities to

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Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
		participate in the assessment and any benefits from participation in the assessment.
Section 5.3 Summary Statement		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Peers request that the consortium consider providing a standardized policy that would help ensure consistency regarding the use of re-plays and re-recordings as part of the normal test administration or as an accommodation. • State-provided evidence should be reviewed regarding exceptional requests. • State-provided evidence should be reviewed regarding the extent to which accommodations for all required assessments do not deny students the opportunities to participate in the assessment and any benefits from participation in the assessment. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

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Critical Element 5.4 – Monitoring Test Administration for Special Populations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:</p> <ul style="list-style-type: none"> • Consistent with the State’s policies for accommodations; • Appropriate for addressing a student’s disability or language needs for each assessment administered; • Consistent with accommodations provided to the students during instruction and/or practice; • Consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL; • Administered with fidelity to test administration procedures; • Monitored for administrations of all required ELP assessments, and AELPA. 	<p>Although the responsibility for monitoring test administration for special populations falls largely to the member States, the consortium provided some evidence in this critical element (but this is just general documentation produced by ELPA21 to ensure consistent administration procedures across States):</p> <p>EL 2.3.1.1a-f <i>Assessment Guides (2016)</i> EL 2.3.1.4 <i>Test Coordinator's Manual (2016)</i> EL 2.3.2.5 <i>Student Testing Session (2016)</i> EL 2.3.2.9 <i>Workstation Preparation (2016)</i> EL 2.3.1.2 <i>Accessibility and Accommodations Manual (2018-2019)</i>, p. 3, Appendices C, D, E. EL 2.3.2.2 <i>Accessibility Features and Accommodations (2016)</i></p>	<p>State-provided evidence regarding monitoring test administration for special populations should be reviewed.</p>
<p>Section 5.4 Summary Statement</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
		<p><u> x </u> No additional evidence is required from the consortium. However, State-specific evidence regarding monitoring test administration for special populations should be reviewed.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

SECTION 6: ELP ACHIEVEMENT STANDARDS AND REPORTING

Critical Element 6.1 – State Adoption of ELP Achievement Standards for All Students

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For ELP standards:</i></p> <ul style="list-style-type: none"> • The State adopted ELP achievement standards that address the different proficiency levels of ELs; • If the State has developed alternate ELP achievement standards, it has adopted them only for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with appropriate accommodations. 		<p>N/A: State-specific</p>
<p>Section 6.1 Summary Statement</p>		
<p>N/A: State-specific evidence should be reviewed for this critical element.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 6.2 – ELP Achievement Standards Setting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State used a technically sound method and process that involved panelists with appropriate experience and expertise for setting:</p> <ul style="list-style-type: none"> • <i>ELP achievement standards and, as applicable, alternate ELP achievement standards</i>, such that: <ul style="list-style-type: none"> ○ Cut scores are developed for every grade/grade band, content domain/language domain, and/or composite for which proficiency-level scores are reported. 	<p>EL 3.1.1.2 ELPA21 Standard Setting Technical Report</p> <p>N/A: There are no alternate ELP achievement standards at this time.</p>	<p>The bookmark standard setting method was used and panelists had appropriate diversity and expertise.</p> <p>Cut scores were developed for every grade/grade band and language domain for which proficiency-level scores are reported.</p> <p>As peers noted in section 4.1, some evidence (e.g., CSEMs) suggests that some cut scores may have been set too high, especially at cuts 3 and 4. Peers request that the consortium evaluate the cut scores.</p>
<p>Section 6.2 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evaluate the cut scores, particularly at cuts 3 and 4. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 6.3 –Aligned ELP Achievement Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For ELP achievement standards: The State has ensured that ELP assessment results are expressed in terms that are clearly aligned with the State’s ELP standards, and its ELP performance-level descriptors.</p> <p>If the State has adopted alternate ELP achievement standards for ELs who are students with the most significant cognitive disabilities, the alternate ELP achievement standards should be linked to the State’s grade-level/grade-band ELP standards, and should reflect professional judgment of the highest ELP achievement standards possible for ELs who are students with the most significant cognitive disabilities.</p>	<p>EL 1.2.2 <i>English Language Proficiency (ELP) Standards</i>, p. 10 EL 2.1.1.1 <i>ELPA21 2017-18 Summative Score Reporting Specifications</i>, pp.13-18 EL 2.2.6 <i>Item Development Process Report</i>, p.20 EL 3.1.1.1 <i>ELP Standards at a Glance</i>, p. 1 EL 3.1.1.2 <i>ELPA21 Standard Setting Technical Report</i>, pp. 11-20, 26-27, 73-75, 79 EL 3.2.3 <i>Achievement Level Descriptors K-12</i>.</p> <p>The State has not adopted alternate ELP achievement standards for ELs with the most significant cognitive disabilities. According to the timeline in EL 1.3.1 (p. 23), the Alt ELP standards were being created between January and December 2018 and will be “acknowledged” by States in 2019, and implemented in 2020.</p>	<p>Peers found the consortium-provided evidence shows that ELPA21 assessment results are clearly aligned with the consortium’s ELP standards.</p>
<p>Section 6.3 Summary Statement</p>		
<p><u> </u> No additional evidence is required</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element 6.4 – Reporting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State reports its assessment results for all students assessed, and the reporting facilitates timely, appropriate, credible, and defensible interpretations and uses of those results by parents, educators, State officials, policymakers and other stakeholders, and the public.</p> <p>The State reports to the public its assessment results on <i>English language proficiency for all ELs including the number and percentage of ELs attaining ELP</i>.</p> <p>For the <i>ELP assessment</i>, the State provides coherent and timely information about each student’s attainment of the State’s ELP standards to parents that:</p> <ul style="list-style-type: none"> • Reports the <i>ELs’ English proficiency</i> in terms of the State’s grade level/grade-band ELP standards (including performance-level descriptors); • Are provided in an understandable and uniform format; • Are, to the extent practicable, written in a language that parents and guardians can understand or, if it is not practicable to provide written translations to a parent or guardian with limited English proficiency, are orally translated for such parent or guardian; 	<p>Primary responsibility for score reporting falls to the member States, but the consortium provided some documentation of “guidance for member states to provide to vendors for incorporating ELPA21 into state scoring, reporting, and data systems.” (EL 2.1.1.1, p. 6)</p> <p>EL 2.1.1.1 <i>ELPA21 2017-18 Summative Score Reporting Specifications</i>, pp. 22 -27. EL 3.3.1 <i>ELPA21 2017-18 Technical Report Part 1</i> EL 6.4.1 <i>Issue Brief Reporting_4-9-14 (v2)</i>, pp. 1, 2, 4.</p> <p>EL 2.1.1.2 <i>Summative Score Reporting Specifications</i>, pp. 22-25 EL 3.3.1 <i>ELPA21 2017-18 Technical Report Part 1</i>, p. 28 EL 6.4.1 <i>Issue Brief Reporting_4-9-14 (v2)</i>, pp. 4-7</p> <p>EL 4.7.1.13 was not cited in this section but it discusses ongoing research that ELPA is doing to make score reports more useful and informative for teachers and parents.</p> <p>EL 4.7.1.12 <i>Technical Advisory Committee Meeting Notes</i> was not cited in this critical element either, but peers found that it contained relevant information since there were recommendations for improving score reports (p. 21).</p>	<p>Sample score reports were not provided in the consortium submission. Therefore, State-provided evidence should be reviewed for all aspects of this critical element.</p> <p>Peers recommend that the consortium develop score report templates in consultation with member States and taking into consideration evidence from its ongoing research (EL 4.7.1.13) and TAC (EL 4.7.1.12).</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> Upon request by a parent who is an individual with a disability as defined by the ADA, as amended, are provided in an alternative format accessible to that parent. 		
Section 6.4 Summary Statement		
<input checked="" type="checkbox"/> No additional evidence is required from the consortium. However, State-provided evidence should be reviewed for all aspects of this critical element.		

SECTION 7: DOES NOT APPLY TO ELP ASSESSMENT PEER REVIEW

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

U. S. DEPARTMENT OF EDUCATION

Peer Review of State Assessment Systems

April State ELP Assessment Peer Review Notes



U. S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202

Note: Peer review notes provide the combined recommendations of the individual peers to the U.S. Department of Education (Department), based on the statute and regulations, the Department's peer review guidance, and the peers' professional judgement of the evidence submitted by the State. These assessment peer review notes, however, do not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for assessment peer review. Although the peer notes inform the Secretary's consideration of each State's assessment system, the Department makes the final decision regarding whether the assessment system meets the requirements in the statute and regulations. As a result, these peer notes may not completely align with the final determination made by the Department.

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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 1: STATEWIDE SYSTEM OF STANDARDS AND ASSESSMENTS

Critical Element 1.1 – State Adoption of ELP Standards for All English Learners

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For English language proficiency (ELP) standards:</i></p> <p>The State formally adopted K-12 ELP standards for all ELs in public schools in the State.</p>	<p>01_1.1 NDE ELP Standards Adoption.pdf</p>	<p>Evidence 01_1.1 is a letter from the Deputy Commissioner showing that the standards were adopted on December 10, 2013.</p>
<p>Section 1.1 Summary Statement</p>		
<p>x No additional evidence is required</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 1.2 – Coherent and Progressive ELP Standards that Correspond to the State’s Academic Content Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For ELP standards: The ELP standards:</p> <ul style="list-style-type: none"> are derived from the four domains of speaking, listening, reading, and writing; address the different proficiency levels of ELs; and <p>align to the State academic content standards (see definition⁵). The ELP standards must contain language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science.</p>	<p>12_1.2 NDE FINAL ELP Standards Doc w Appendices.pdf (pp. 8, 9 -38 and Appendix A)</p> <p>04_1.2 AlignmentDocumentMATH2017.pdf</p> <p>05_1.2 ELA ELP Standards Alignment Training Webinar 2017.pdf</p> <p>06_1.2 ELA ELP Standards Alignment Workshop 2017.pdf</p> <p>07_1.2 ELP ELA Standards Alignment Training Webinar_Viewing_Guide.pdf</p> <p>08_1.2 ELP ELA Standards Alignment Document 2017.pdf</p> <p>09_1.2 Math ELP Standards Webinar Training.pdf</p> <p>10_1.2 Math ELP Standards Webinar Viewing Guide.pdf</p> <p>11_1.2 Math_ELP Math Standards Alignment Workshop.pdf</p> <p>57_1.2_Science-ELP Standards Alignment Agenda and Notes.pdf</p>	<p>Evidence 12_1.2 shows that the ELP standards are derived from the four domains of speaking, listening, reading and writing (p. 8). The standards also address the different proficiency levels (pp. 9-38).</p> <p>Even though documents cited for this critical element use the word “alignment,” there was no external or independent alignment study completed.</p> <p>ELPA21 submitted evidence to show alignment of the CCSS and NCSS content standards with the ELP standards. Because “Nebraska has not officially adopted the Common Core State Standards in Mathematics and English Language Arts or the Next Generation Science Standards” (Narrative p. 3) the State needs to provide evidence to show that the Nebraska College and Career Ready Standards in ELA, mathematics and science align to the ELP standards.</p>
<p>Section 1.2 Summary Statement</p>		
<p><u> </u>x The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> Peers request that the State submit the results of an external and independent alignment study to show that the Nebraska College and Career Ready Standards in ELA, mathematics and science align to the ELP standards. 		

⁵ see page 24 of “A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 1.3 – Required Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State’s assessment system includes an annual general and alternate ELP assessment (aligned with State ELP standards) administered to:</p> <ul style="list-style-type: none"> All ELs in grades K-12. 	<p>16_1.3 Rule 15 Section 006 Assessment of ELs.pdf 13_1.3 Communication to DACs.pdf 18_1.3 Timeline ALT-ELPA Development.pdf 19_1.3_Nebraska CGSA Letter Support.pdf</p>	<p>The State’s evidence establishes that the State’s assessment system includes a general ELP assessment that should be administered to all ELs in grades K-12.</p> <p>The State acknowledged that it does not administer an alternate ELP assessment (AELPA) for ELs with significant cognitive disabilities who cannot take the general ELP assessment, even with accommodations.</p> <p>The State did provide some evidence that it plans to participate in a multi-State collaboration to develop an AELPA.</p> <p>Staff believe that NDE should provide evidence that it includes ELs with significant cognitive disabilities in Statewide ELP assessment, either through the general ELP assessment or an alternate ELP assessment (AELPA).</p>
<p>Section 1.3 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> provide evidence that it includes ELs with significant cognitive disabilities in Statewide ELP assessment, either through the general ELP assessment or an alternate ELP assessment (AELPA). 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 1.4 – Policies for Including All Students in Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> The State has policies that require the inclusion <i>of all public elementary and secondary ELs in the State’s ELP assessment</i>, including ELs with disabilities. 	<p>23_1.4 Rule Section 006 SWD.pdf</p> <p>17_1.4 SAA Update Section on ELPA Testing.pdf</p> <p>21_1.4 n138_SEA_1718 ELPA Participation SWD.pdf</p> <p>24_1.4 SAA Update Jan 2018 ELPA Section SWD.pdf pdf</p> <p>20_1.4 ELPA21 Accessibility and Accommodations Manual 2017-18.pdf</p>	<p>The State’s evidence established that the assessment system included all ELs in grades K-12, including ELs with disabilities.</p> <p>The exception (as noted in critical element 1.3) is that ELs with significant cognitive disabilities that cannot take the general ELP assessment do not have an alternate ELP assessment (AELPA) available. Staff believe that State should provide evidence that is including these ELs in Statewide ELP assessment, either through the general ELP assessment or an AELPA (as noted in critical element 1.3).</p>
<p>Section 1.4 Summary Statement</p>		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> See evidence requested in critical element 1.3 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 1.5 – Meaningful Consultation in the Development of Challenging State Standards and Assessments

(Note: this is a new requirement under ESSA, so it does not apply to standards and assessments adopted prior to the passage of ESSA (December 2015)).

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State has developed or amended challenging <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> • State leaders, including the Governor, members of the State legislature and State board of education (if the State has a State board of education). • Local educational agencies (including those located in rural areas). • Representatives of Indian tribes located in the State. • Teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents. 	<p>NDE adopted the ELP standards in December, 2013 so this critical element does not apply.</p>	<p>N/A</p>
<p>Section 1.5 Summary Statement</p>		
<ul style="list-style-type: none"> • N/A 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 2: ASSESSMENT SYSTEM OPERATIONS

Critical Element 2.1 – Test Design and Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State’s test design and test development process is well-suited for the content, is technically sound, aligns the assessments to <i>the depth and breadth of the State’s ELP standards</i>, and includes:</p> <ul style="list-style-type: none"> • Statement(s) of the purposes of the assessments and the intended interpretations and uses of results; • Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of <i>the State’s ELP standards</i>, and support the intended interpretations and uses of the results. • Processes to ensure that the ELP assessment is tailored to the knowledge and skills included in <i>the State’s ELP standards</i> and reflects appropriate inclusion of the range of complexity found in the standards. • If the State administers computer-adaptive assessments, the item pool and item selection procedures adequately support the test design and intended uses and interpretations of results. • If the State administers a computer-adaptive assessment, it makes proficiency determinations with respect to the grade in which the 	<p>The State did not provide evidence for this critical element.</p>	<p>This critical element is addressed by Consortium-submitted evidence.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

student is enrolled and uses that determination for all reporting. If the State administers a content assessment that includes portfolios, such assessment may be partially administered through a portfolio but may not be <i>entirely</i> administered through a portfolio.		
Section 2.1 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 2.2 – Item Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State uses reasonable and technically sound procedures to develop and select items to: <ul style="list-style-type: none"> • Assess student English language proficiency based on the <i>State’s ELP standards</i> in terms of content and language processes. 	The State did not provide evidence for this critical element.	This critical element is addressed by Consortium-submitted evidence.
<p>Section 2.2 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 2.3 – Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> • Has established and communicates to educators clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations; • Has established procedures to ensure that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional support personnel, and other appropriate staff receive necessary training to administer assessments and know how to administer assessments, including, as necessary, alternate assessments, and know how to make use of appropriate accommodations during assessments for all students with disabilities; • If the State administers technology-based assessments, the State has defined technology and other related requirements, included technology-based test administration in its standardized procedures for test administration, and established contingency plans to address possible technology challenges during test administration. 	<p>The State did not provide evidence for this critical element.</p>	<p>Consortium peer review notes indicate that state specific evidence should be reviewed regarding (1) how test administration procedures are communicated to educators, and (2) how appropriate personnel are trained to administer the test.</p>
<p>Section 2.3 Summary Statement</p>		
<p>x The following additional evidence is needed/provide brief rationale:</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

- how test administration procedures are communicated to educators, and
- how appropriate personnel are trained to administer the test.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 2.4 – Monitoring Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. Monitoring of test administration should be demonstrated for all assessments in the State system: the general ELP assessments and the AELPA.</p>	<p>25_2.4 2019 NSCAS Summative Observation Checklist.pdf</p> <p>26_2.4 ELPA NSCAS Observation Email Template 2019-to schools.pdf</p> <p>60_2.4_DAC UPDATE 3-12-19 Reminders.pdf</p> <p>27_2.4 ELPA Monitoring Plan.pdf</p>	<p>The State provided direct evidence that monitoring the ELP assessment had not occurred in the 2018 administration.</p> <p>A plan was provided that described a pilot monitoring in the 2019 administration with a goal of full implementation by 2020.</p> <p>A protocol form was provided. Roles and responsibilities of staff involved in monitoring were not demonstrated in the evidence. Evidence of observer training was not provided. Summary reports of monitoring visits were not provided. Overall, there was not adequate evidence that monitoring of the ELP assessments was occurring to ensure that standardized administration procedures were being implemented with fidelity across districts and schools.</p>
<p>Section 2.4 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • The State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. Monitoring of test administration should be demonstrated for all assessments in the State system: the general ELP assessments and the AELPA. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 2.5 – Test Security

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results through:</p> <ul style="list-style-type: none"> • Prevention of any assessment irregularities, including maintaining the security of test materials (both during test development and at time of test administration), proper test preparation guidelines and administration procedures, incident-reporting procedures, consequences for confirmed violations of test security, and requirements for annual training at the district and school levels for all individuals involved in test administration; • Detection of test irregularities; • Remediation following any test security incidents involving any of the State’s assessments; • Investigation of alleged or factual test irregularities. • Application of test security procedures to the general ELP assessments and the AELPA. 	<p>61_2.5_2018-19-NSCAS-Principal-Security-Agreement.pdf</p> <p>58_2.5_NE-State-Accountability-Security-Manual-January-8-2018.pdf</p>	<p>Evidence 58_2.5 (p. 5) indicates that test security procedures that are applied to other statewide assessments are also to be applied to the ELP assessment. (These cannot yet be applied to an alternate ELP assessment since the State does not have one.)</p> <p>Prevention and detection of assessment irregularities, remediation and investigation are covered in evidence 58_2.5, although not in much detail in some cases (e.g., pg. 15, “If the notification of a security issue or breach is sent or called in directly to the assessment office, it is forwarded to the Director of Statewide Assessment”. It is not clear in cases where reporting is not sent directly to the assessment office.</p> <p>The test security information needed is state-specific. It appears that test security and training is the responsibility of the district with little guidance to ensure consistency.</p> <p>Evidence is needed to support that the State has implemented and documented a set of policies and procedures to prevent test irregularities.</p> <p>There was insufficient evidence to show how the State is detecting test irregularities and any</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

		<p>procedures for remediation following any test security incident</p> <p>Currently the State does not have an AELPA.</p>
<p>Section 2.5 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • A documented set of policies and procedures to prevent test irregularities and ensure the integrity of test results. • Documentation of how the State detects test irregularities. • Procedures for remediation following any test security incident. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has policies and procedures in place to protect the integrity and confidentiality of its test materials, test-related data, and personally identifiable information, specifically:</p> <ul style="list-style-type: none"> • To protect the integrity of its test-related data in test administration, scoring, storage and use of results; • To secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools; • To protect personally identifiable information about any individual student in reporting, including defining the minimum number of students necessary to allow reporting of scores for all students and student groups. 	<p>30_2.6 ELPA21_Data Sharing Agreement_Nebraska-UCLA Signed by both parties.pdf</p> <p>59_2.6_Data Access and Use – Nebraska Department of Education.pdf</p>	<ul style="list-style-type: none"> • Evidence documents 30_2.6 and 59_2.6 do not provide sufficient evidence in support of the State having policies and procedures in place to protect the integrity and confidentiality of test materials and test-related data. <p>Evidence 30_2.6, the data sharing agreement between NDE and UCLA/CRESST shows how CRESST protects the ELPA21 data.</p> <ul style="list-style-type: none"> • Peers could not locate evidence to show how districts and schools secure student-level assessment data and protect student privacy. • Evidence 59_2.6 does define the minimum number of students necessary to allow the reporting of scores. <p>“When publicly disclosing aggregate data, the NDE will protect the confidentiality of all individuals’ information by, at a minimum, masking data cells containing fewer than 10 individuals or 100% of individuals (except as may be otherwise provided or allowed by law, regulation or interpretation of the United States Department of Education)” (Evidence 59_2.6)</p>
<p>Section 2.6 Summary Statement</p>		
<p><u> </u>_x_ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Policies and procedures in place to protect the integrity and confidentiality of test materials and test-related data. • A process of how districts and schools secure student-level assessment data (e.g., a description of security features for storage of test response materials and related data, or rules and procedures for secure transfer of assessment data) and protection of student privacy. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 3: TECHNICAL QUALITY – VALIDITY

Critical Element 3.1 – Overall Validity, Including Validity Based on Content

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate overall validity evidence for its assessments consistent with nationally recognized professional and technical testing standards. The State’s validity evidence includes evidence that:</p> <p><i>The State’s ELP assessments</i> measure the knowledge and skills specified in the State’s ELP standards, including:</p> <ul style="list-style-type: none"> • Documentation of adequate alignment between the State’s ELP assessment and the ELP standards the assessment is designed to measure in terms of language knowledge and skills, the depth and breadth of the State’s ELP standards, across all proficiency levels, domains, and modalities identified therein; • Documentation of alignment (as defined) between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards; • If the State administers an AELPA aligned with alternate ELP achievement standards, the assessment shows adequate linkage to the State’s ELP standards in terms of content match (i.e., no unrelated content) and that the breadth of content and linguistic complexity 	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium-submitted evidence.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

determined in test design is appropriate for ELs who are students with the most significant cognitive disabilities.		
Section 3.1 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 3.2 – Validity Based on Linguistic Processes

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has documented adequate validity evidence that its assessments tap <i>the intended language processes</i> appropriate for each grade level/grade-band as represented in the State’s ELP standards.	State did not submit evidence for this critical element.	This critical element is addressed by Consortium-submitted evidence.
Section 3.2 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 3.3 – Validity Based on Internal Structure

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s <i>ELP standards</i> on which the intended interpretations and uses of results are based.</p>	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium-submitted evidence.</p>
<p>Section 3.3 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 3.4 – Validity Based on Relations to Other Variables

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has documented adequate validity evidence that the State’s assessment scores are related as expected with other variables.	State did not submit evidence for this critical element.	This critical element is addressed by Consortium-submitted evidence.
Section 3.4 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 4: TECHNICAL QUALITY – OTHER

Critical Element 4.1 – Reliability

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards. If the State’s assessments are implemented in multiple States, measures of reliability for the assessment overall and each student group consistent with nationally recognized professional and technical testing standards, including:</p> <ul style="list-style-type: none"> • Test reliability of the State’s assessments estimated for its student population (<i>for ELP assessments, including any domain or component sub-tests, as applicable</i>); • Overall and conditional standard error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable; • Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results; • For computer-adaptive tests, evidence that the assessments produce test forms with adequately 	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is primarily addressed by Consortium-submitted evidence.</p> <p>Nebraska-specific data (EL 3.3.2 ELPA 21 2017-18 Technical Report Part 2 _ Nebraska Example) was submitted by ELPA21. See Consortium peer review notes for issues that should be addressed by the Consortium regarding this critical element.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
precise estimates of <i>an EL's English proficiency</i> .		
Section 4.1 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.2 – Fairness and Accessibility

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For all State ELP assessments,</i> assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition⁶).</p> <p><i>For ELP assessments,</i> the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis.</p>	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium submitted evidence.</p>
<p>Section 4.2 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

⁶ see page 28 of “*A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process*”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.3 – Full Performance Continuum

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for <i>ELP assessments</i> , including performance for EL students with high and low levels of English language proficiency and with different proficiency profiles across the domains of speaking, listening, reading, and writing.	State did not submit evidence for this critical element.	This critical element is addressed by Consortium submitted evidence.
Section 4.3 Summary Statement		
See Consortium peer review notes. No additional state specific evidence is required.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.4 – Scoring

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has established and documented standardized scoring procedures and protocols for its assessments (and <i>for ELP assessments, any applicable domain or component sub-tests</i>) that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s <i>ELP standards</i>.</p> <p><i>For ELP assessments</i>, if an English learner has a disability that precludes assessment of the student in one or more of the required domains/components (listening, speaking, reading, and writing) such that there are no appropriate accommodations for the affected domain(s)/component(s), the State must provide a description of how it will ensure that the student is assessed in the remaining domain(s)/component(s) in which it is possible to assess the student, and a description of how this will occur.⁷</p>	<p>In the State’s narrative, the State did not list any evidence for this critical element. However, peers located evidence 32_5.1 Domain Exemption Guidance.</p>	<p>This peer review notes for the Consortium indicate that state-specific evidence should be reviewed regarding domain exemptions.</p> <p>Evidence 32_5.1 indicates that students granted a domain exemption must be assessed in the other domains. It provides limited guidance on domain exemptions, but it is unclear what process the State follows to determine whether to approve a given domain exemption for a student. The State should provide a decision tree or other documentation of this process.</p>
<p>Section 4.4 Summary Statement</p>		
<p><u> </u> x <u> </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Documentation of a process that the State follows to evaluate applications it receives for domain exemptions. 		

⁷ See full reference in regulation, 34 CFR § 200.6(h)(4)(ii) (online at https://www.ecfr.gov/cgi-bin/text-idx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200_16&rgn=div8)

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.5 – Multiple Assessment Forms

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers multiple forms of <i>ELP assessments</i> within or across grade-spans, ELP levels, or school years, the State ensures that all forms adequately represent the State’s <i>ELP standards</i> and yield consistent score interpretations such that the forms are comparable within and across settings.</p>	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium submitted evidence.</p>
<p>Section 4.5 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.6 – Multiple Versions of an Assessment

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers any of its assessments in multiple versions within a subject area (e.g., online versus paper-based delivery), grade level, or school year, the State:</p> <ul style="list-style-type: none"> • Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments; • Documented adequate evidence of comparability of the meaning and interpretations of the assessment results. 	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium submitted evidence.</p>
<p>Section 4.6 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 4.7 – Technical Analysis and Ongoing Maintenance

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State:</p> <ul style="list-style-type: none"> • Has a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of all of the assessments in its assessment system (i.e., general assessments and alternate assessments), and • Evidence of adequate technical quality is made public, including on the State’s website. 	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is primarily addressed by Consortium- submitted evidence. Consortium peer review notes indicate that state-specific evidence should be reviewed to determine whether information about technical quality of the test is made public, including on the State’s website.</p>
<p>Section 4.7 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • That information about technical quality is made public, including on the State’s website. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 5: INCLUSION OF ALL STUDENTS

Critical Element 5.1 – Procedures for Including Students with Disabilities

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students⁸ with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs.</p> <ul style="list-style-type: none"> • For ELP assessments, policies that require the inclusion of an EL with a disability that precludes assessment of the student in one or more of the required domains (speaking, listening, reading, and writing) such that there are no appropriate accommodations for the affected component (the State must assess the student’s English language proficiency based on the remaining components in which it is possible to assess the student). 	<p>20_1.4 ELPA21 Accessibility and Accommodations Manual 2017-18.pdf 33_5.1_Rule 15 Assessment and Accommodations.pdf (Note highlighting) 34_5.1_Rule 15 Imp Guide Assessment and Accommodations.pdf (Note highlighting) 35_5.1_SAA-Update_Jan_2018.pdf (Note highlighting) 32_5.1 Domain Exemption Guidance</p>	<p>Evidence 35_5.1 indicates how students with significant cognitive disabilities are currently participating in the ELP assessment: “English Learners eligible for alternate assessments ... are still required to participate annually in the ELPA21, with appropriate accommodations as allowed in the ELPA21 Accessibility and Accommodations Manual” (PDF Viewer page 2).</p> <p>The state includes evidence in other critical elements that it is working toward having an alternate ELP assessment.</p> <p>An element of “procedure” is missing. Peers recommend that the State provide training for IEP teams to make assessment accommodations decisions about ELs with disabilities.</p> <p>Evidence 32.5.1 states that a student may not be exempted from all domains.</p>
<p>Section 5.1 Summary Statement</p>		
<p>x No additional evidence is required</p>		

⁸ For ELP peer review, this refers to ELs with disabilities.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 5.2 – DOES NOT APPLY to ELP Assessment Peer Review

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> Note: This critical element does not apply to ELP assessments, as the requirements only apply to the inclusion of ELs in <u>academic assessments</u>. 		
<p>Section 5.2 Summary Statement</p>		
<ul style="list-style-type: none"> n/a 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 5.3 – Accommodations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State makes available appropriate accommodations and ensures that its assessments are accessible to students with disabilities and ELs, including ELs with disabilities. Specifically, the State:</p> <ul style="list-style-type: none"> • Ensures that appropriate accommodations are available for ELs; • Has determined that the accommodations it provides (1) are appropriate and effective for meeting the individual student’s need(s) to participate in the assessments, (2) do not alter the construct being assessed, and (3) allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations; • Has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed. • Ensures that accommodations for all required assessments do not deny students with disabilities or ELs the opportunity to participate in the assessment and any benefits from participation in the assessment. 	<p>20_1.4 ELPA21 Accessibility and Accommodations Manual 2017-18.pdf 38_5.3_NSCAS EL Accommodations.pdf 34_5.1_Rule 15 Imp Guide Assessment and Accommodations.pdf</p>	<p>Consortium peer review notes indicate that State provided evidence should be reviewed regarding:</p> <ol style="list-style-type: none"> 1. Exceptional requests, and 2. The extent to which accommodations for all required assessments do not deny students the opportunity to participate in the assessment and any benefit from participation in the assessment. <p>Regarding point #1, peers could not locate evidence in support of the following: “has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed.”</p> <p>Regarding point #2, the State’s policy regarding domain exemptions allows a student who is exempted from a domain to still have a composite score that could be used to determine exit from the Program. Peers believe this is sufficient to meet the requirements of this particular aspect of the critical element. However, students with significant cognitive disabilities are currently being assessed with ELPA21. Peers are concerned that this use of a general ELP assessment for students with significant cognitive disabilities denies benefits of participation. The ongoing creation of an alternate ELP assessment should address this issue.</p>
<p>Section 5.3 Summary Statement</p>		
<p>x The following additional evidence is needed/provide brief rationale:</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none">• A process to individually review and allow exceptional requests for accommodations beyond those routinely allowed.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 5.4 – Monitoring Test Administration for Special Populations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:</p> <ul style="list-style-type: none"> • Consistent with the State’s policies for accommodations; • Appropriate for addressing a student’s disability or language needs for each assessment administered; • Consistent with accommodations provided to the students during instruction and/or practice; • Consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL; • Administered with fidelity to test administration procedures; • Monitored for administrations of all required ELP assessments, and AELPA. 	<p>The State’s narrative indicates: “Procedures to monitor SY 2017-18 Administration of ELPA21 were not in place. In SY 2018-19, a procedure to monitor the assessment will be piloted. The pilot procedure will include observing students with disabilities taking the ELPA21 assessment. Following the pilot, the procedure will be reviewed, modified if appropriate, and fully implemented in SY 2019-20” (Narrative p. 19).</p> <p>25_2.4 2019 NSCAS Summative Observation Checklist.pdf 26_2.4 ELPA NSCAS Observation Email Template 2019-to schools.pdf 60_2.4_DAC UPDATE 3.12.19 Reminders.pdf 27_2.4 ELPA Monitoring Plan.pdf</p>	<p>Consortium peer review notes indicate that State provided evidence should be reviewed regarding monitoring test administration for special populations.</p> <p>Currently no procedures to monitor test administration are in place. Supporting evidence document 27_2.4 contains a limited description of pilot monitoring in 2019. Peers believe that the evidence is not sufficient to determine whether students are receiving appropriate accommodations.</p> <p>Evidence 25_2.4 NSCAS Summative Observation Checklist includes only one questions on accommodations: “Did you observe any accommodations given to students?” This does not allow the State to know whether appropriate accommodations were being implemented.</p> <p>There is currently no AELPA to be monitored.</p>
Section 5.4 Summary Statement		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Process and procedures for monitoring the ELPA21 test administration with accommodations including a way to determine that test accommodations match instructional accommodations. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

SECTION 6: ELP ACHIEVEMENT STANDARDS AND REPORTING

Critical Element 6.1 – State Adoption of ELP Achievement Standards for All Students

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For ELP standards:</p> <ul style="list-style-type: none"> The State adopted ELP achievement standards that address the different proficiency levels of ELs; If the State has developed alternate ELP achievement standards, it has adopted them only for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with appropriate accommodations. 	<p>62_6.1_2016-10-18 COP October Agenda.pdf 63_6.1_COP Title III Update 10 17 16.pdf 64_6.1_ELL PD Title III ELPA21 Update Nov 8 2016.pdf 65_6.1_Title III ELPA21 Update 9 29 16.pdf</p>	<p>The State response indicates that there “was no separate formal adoption” (Narrative p. 20) of the achievement standards. The evidence provided indicates that Nebraska participated in the standard setting for ELPA21, but that does not constitute formal adoption.</p>
<p>Section 6.1 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> Formal adoption of ELP achievement standards 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 6.2 – ELP Achievement Standards Setting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State used a technically sound method and process that involved panelists with appropriate experience and expertise for setting:</p> <ul style="list-style-type: none"> • <i>ELP achievement standards and, as applicable, alternate ELP achievement standards</i>, such that: <ul style="list-style-type: none"> ○ Cut scores are developed for every grade/grade band, content domain/language domain, and/or composite for which proficiency-level scores are reported. • 	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium submitted evidence.</p>
<p>Section 6.2 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

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STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 6.3 –Aligned ELP Achievement Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For ELP achievement standards:</i> The State has ensured that ELP assessment results are expressed in terms that are clearly aligned with the State’s ELP standards, and its ELP performance-level descriptors.</p> <p>If the State has adopted alternate ELP achievement standards for ELs who are students with the most significant cognitive disabilities, the alternate ELP achievement standards should be linked to the State’s grade-level/grade-band ELP standards, and should reflect professional judgment of the highest ELP achievement standards possible for ELs who are students with the most significant cognitive disabilities.</p>	<p>State did not submit evidence for this critical element.</p>	<p>This critical element is addressed by Consortium submitted evidence.</p>
<p>Section 6.3 Summary Statement</p>		
<p>See Consortium peer review notes. No additional state specific evidence is required.</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.

STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element 6.4 – Reporting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State reports its assessment results for all students assessed, and the reporting facilitates timely, appropriate, credible, and defensible interpretations and uses of those results by parents, educators, State officials, policymakers and other stakeholders, and the public.</p> <p>The State reports to the public its assessment results on <i>English language proficiency for all ELs including the number and percentage of ELs attaining ELP.</i></p> <p>For the <i>ELP assessment</i>, the State provides coherent and timely information about each student’s attainment of the State’s ELP standards to parents that:</p> <ul style="list-style-type: none"> • Reports the <i>ELs’ English proficiency</i> in terms of the State’s grade level/grade-band ELP standards (including performance-level descriptors); • Are provided in an understandable and uniform format; 	<p>54_6.4_ELPA21_Score_Reporting_FAQ.pdf 56_6.4_NEP_Number and Percent Proficient 2017-18.pdf 53_6.4_ELPA Summative State Report 2017-18.pdf 55_6.4_NE_PrintedISR_ELPA21_Summative_SY1819_Demo.pdf 52_6.4_AIR Portal Announcement_Scores Available_May_2018.pdf</p>	<p>Consortium peer review notes indicate that state provided evidence should be reviewed for all aspects of this critical element.</p> <p>Regarding timeliness, the State’s narrative indicated what the testing window was for 2018 and when results were available to districts. However, there was no policy regarding the timeline for reporting scores at any level.</p> <p>Evidence 56_6.4 is a screenshot of a public website that reports the number and percent of ELs who attained ELP in 2017-2018. However, the percentage of students who is proficient is not properly labeled: The header is labeled “State” and underneath it states “0.1386.” The header should be “Percent Proficient” and the number should be indicated as a percentage.</p> <ul style="list-style-type: none"> • ELP score reports (evidence 55_6.4) do report proficiency in terms of grade-level standards including PLDs. • Reports are not provided in a format understandable to parents. Peers identified some issues indicated below: <ul style="list-style-type: none"> ○ Scale score ranges for the five performance levels are not included. ○ Cut scores are not included. ○ There is explanation of what measurement error is at the bottom of the Individual Student Report,

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STATE ASSESSMENT PEER REVIEW NOTES FOR Nebraska

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> • Are, to the extent practicable, written in a language that parents and guardians can understand or, if it is not practicable to provide written translations to a parent or guardian with limited English proficiency, are orally translated for such parent or guardian; • Upon request by a parent who is an individual with a disability as defined by the ADA, as amended, are provided in an alternative format accessible to that parent. 		<p>but a parent would have no way of knowing where the actual SEMs are in the report.</p> <ul style="list-style-type: none"> ○ Are the colors meant to indicate something (e.g.: “beginning level” is in red, does the color mean something)? • The State’s narrative on page 23 states that “Individual Student Reports are available in languages other than English for parents”. However, there were no samples provided nor were there instructions on how parents could request translations. • Peers could not locate evidence of documentation of how a parent with a disability could request a report in an alternative format accessible to that parent.
Section 6.4 Summary Statement		
<p><u> x </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • The number and percentage of students obtaining proficiency should be clearly indicated on the public statewide report • The timeline for making reports available • Individual student reports that are understandable and accessible to parents and that at a minimum address the feedback in the notes for this critical element • The availability and process for requesting score reports in other languages and accessible formats for parents with disabilities 		

SECTION 7: DOES NOT APPLY TO ELP ASSESSMENT PEER REVIEW

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department.