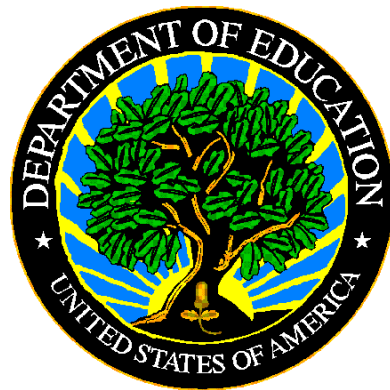


# **A State's Guide to the U.S. Department of Education's Assessment Peer Review Process**



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

**September 24, 2018**

The U.S. Department of Education (Department) has determined that this document is a “significant guidance document” under the Office of Management and Budget’s Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), available at <https://www.federalregister.gov/documents/2007/01/25/E7-1066/final-bulletin-for-agency-good-guidance-practices>. The purpose of this document is to provide States with information to assist them in meeting their obligations under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. This document does not impose any requirements beyond those required under applicable law and regulations. It does not create or confer any rights for or on any person.

This document represents the Department’s current thinking on the critical elements and best practices for State development and implementation of assessment systems, and it supersedes the Department’s previous guidance, entitled *U.S. Department of Education Peer Review of State Assessment Systems Non-Regulatory Guidance for States for Meeting Requirements of the Elementary and Secondary Education Act of 1965, as amended (revised September 25, 2015)*.

On June 27, 2018, this document was posted for public review and comment. The Department received 17 public comments concerning the content of this document. Many commenters proposed language to clarify requirements or to improve the consistency of language throughout the document, which the Department incorporated into this revised version of the guidance. Others proposed changes that were not consistent with the ESEA, such as permitting separate academic content standards for some groups of students, and those changes were not incorporated in this revised document.

If you are interested in commenting further on this document, please e-mail [OESE@ed.gov](mailto:OESE@ed.gov) or write to us at the following address: U.S. Department of Education, Office of Elementary and Secondary Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

### **Paperwork Burden Statement**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0576.

## TABLE OF CONTENTS

<b>I –ASSESSMENT PEER REVIEW PROCESS</b>	<b>4</b>
<b>A. INTRODUCTION</b>	<b>4</b>
Purpose	5
Background	5
Changes in the assessment requirements in the ESEA as amended by the ESSA	6
<b>B. THE ASSESSMENT PEER REVIEW PROCESS</b>	<b>9</b>
Overview	9
Requirements for Assessment Peer Review When a State Makes a Change to a Previously Peer-Reviewed State Assessment System	12
<b>C. PREPARING AN ASSESSMENT PEER REVIEW SUBMISSION</b>	<b>15</b>
Content and Organization of a State Submission for Assessment Peer Review	15
Coordination of Submissions for States that Administer the Same Assessments	21
How to Read the Critical Elements	22
<b>D. TERMINOLOGY</b>	<b>23</b>
Key Terminology	23
Additional Terminology	26
<b>II – CRITICAL ELEMENTS FOR STATE ASSESSMENT PEER REVIEW</b>	<b>29</b>
Map of the Critical Elements for Peer Review of State Assessments	29
Section 1: Statewide System of Standards and Assessments	30
Section 2: Assessment System Operations	36
Section 3: Technical Quality – Validity	47
Section 4: Technical Quality – Other	53
Section 5: Inclusion of All Students	60
Section 6: Achievement Standards and Reporting	65
Section 7: Locally Selected, Nationally Recognized High School Academic Assessments	74

# I – ASSESSMENT PEER REVIEW PROCESS

## A. INTRODUCTION

### **Purpose**

The purpose of the Department’s peer review of State assessment systems is to support States in meeting statutory and regulatory requirements under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA),<sup>1</sup> for implementing valid and reliable State assessment systems. Under sections 1111(a)(4) and 1111(b)(2)(B)(iii)-(iv) of the ESEA and 34 CFR § 200.2(b)(4) and (5) and (d), the Department has an obligation to conduct a peer review of the technical quality of State assessment systems implemented under section 1111(b)(2) of the ESEA. Assessment peer review is the process through which a State demonstrates the technical soundness of its assessment system. A State’s success with its assessment peer review begins and hinges on the steps the State takes to develop and implement a technically sound State assessment system.

From 2005 through 2012, the Department conducted a peer review process for evaluating State assessment systems. In December 2012, in light of transitions in many States to new assessments aligned to college- and career-ready academic content standards in reading/language arts and mathematics, and advancements in the field of assessments, the Department suspended peer review of State assessment systems to review and revise the process based on current best practices in the field and lessons learned over the past decade. The Department resumed this process in September 2015. Subsequently, the ESSA was passed. While most of the requirements for State assessment systems were unchanged, there are a few new components (which are described below). This document supersedes the guidance released in September 2015 and is consistent with the new components of the ESSA. Throughout this document, we reference ESEA requirements. In some cases, the ESEA requirements we reference are found specifically in the ESEA’s implementing regulations at 34 CFR Part 200 and, where appropriate, we provide a citation to the applicable ESEA implementing regulations.

This document is intended to support States in developing and administering assessment systems that (1) provide valid and reliable information on how well students are achieving a State’s challenging academic content and achievement standards to prepare all students for success in college and careers in the 21<sup>st</sup> century; and (2) provide valid and reliable information about the English proficiency of all English learners (ELs) in the State. Additionally, it is intended to help States prepare for peer review of their assessment systems and help guide peer reviewers who will evaluate the evidence submitted by States.

The document includes: (1) information about the assessment peer review process both for academic content assessments in mathematics, reading/language arts, and science, and for English language proficiency (ELP) assessments; (2) instructions for preparing evidence for

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<sup>1</sup> References and statutory citations in this document are to the ESEA as amended by the ESSA unless otherwise indicated.

submission; and (3) examples of evidence for addressing each critical element for each type of required assessment.

## Background

A key purpose of Title I of the ESEA is to promote educational excellence and equity so that all students master the knowledge and skills, by the time they graduate high school, that they need in order to be successful in college and the workforce. A State accomplishes this, in part, by adopting challenging academic content standards that define what the State expects all students to know and be able to do, developing and administering assessments aligned to those standards and adopting academic achievement standards aligned to the academic content standards to define levels of student achievement on the assessments.

Specifically, under Title I of the ESEA, each State is responsible for implementing a State assessment system that is coherent and consistent within the State. The ESEA requires a State to develop and implement (1) challenging academic content and achievement standards in at least mathematics, reading/language arts, and science, and to apply the same academic standards to all public schools and public school students in the State (ESEA section 1111(b)(1)(A)-(D); 34 CFR § 200.1(a)); and (2) ELP standards that (1) are derived from the four recognized domains of speaking, listening, reading, and writing; (2) address the different proficiency levels of ELs; and (3) are aligned with the challenging State academic standards (ESEA section 1111(b)(1)(F)). The ESEA also requires a State to annually administer State-determined academic assessments in reading/language arts and mathematics in each of grades 3 through 8 and once in high school, and to annually administer State-determined academic assessments in science at least once in each of three grade spans (3-5, 6-9 and 10-12) (ESEA section 1111(b)(2)(B)(v); 34 CFR §§ 200.2(a)(1), 200.5(a)).

The ESEA requires that the academic content assessments be aligned with the State's academic content standards and address the depth and breadth of those standards; be valid, reliable, and of adequate technical quality for the purposes for which they are used; express student results in terms of the State's academic achievement standards; and provide coherent information about student achievement (ESEA section 1111(b)(2)(B)(ii)-(iv); 34 CFR § 200.2(b)(2)-(5)). In addition, the ESEA requires that the same academic assessments be used to measure the achievement of all students in the State, including ELs and students with disabilities<sup>2</sup>, with the exception allowed under ESEA section 1111(b)(2)(D) for students with the most significant cognitive disabilities who may take an alternate assessment aligned with alternate academic achievement standards (AA-AAAS) permitted under section 1111(b)(1)(E) of the ESEA (ESEA section 1111(b)(2)(B)(i), (vii), (b)(2)(D); 34 CFR §§ 200.2(b)(1), 200.6).

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<sup>2</sup> The ESEA and Title I, Part A regulations use both "students with disabilities" and "children with disabilities." Section 602(3) of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C §1401(3), defines the term "child with a disability," and that definition is also included in ESEA section 8101(4). However, because a State's assessment system must include children with disabilities under IDEA, as well as students who are individuals with disabilities as defined in Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, we generally refer to students with disabilities throughout this document.

The ESEA and its implementing regulations also require a State to ensure that its local education agencies (LEAs) provide an annual ELP assessment of all 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 English language proficiency of all ELs in the State, including ELs with disabilities, with an exception for ELs who are students with the most significant cognitive disabilities who may take an alternate ELP assessment (AELPA) if they 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)).

Within the parameters noted above, each State has the flexibility and the responsibility to design its assessment system. This responsibility includes the adoption of specific academic content standards and ELP standards and selection of specific assessments that assess those standards. A State is also permitted to develop alternate academic achievement standards for students with the most significant cognitive disabilities (ESEA section 1111(b)(1)(E); 34 CFR § 200.1(d)) and to administer an AA-AAAS for academic content assessments (ESEA section 1111(b)(2)(D); 34 CFR § 200.6(c)). Further, a State has the discretion to include in its assessment system components beyond the requirements of the ESEA, which are not subject to assessment peer review. For example, some States administer assessments in additional content areas (e.g., social studies and art). A State also may include additional measures in its State assessment system, such as formative and interim assessments, which would not be subject to assessment peer review.

### **Changes in the assessment requirements in the ESEA as amended by the ESSA**

This document reflects changes made to the ESEA standards and assessment requirements by the ESSA. For the most part, the assessment provisions under the ESEA as amended by the ESSA remain similar to the prior assessment provisions under the ESEA as amended by the No Child Left Behind Act of 2001. However, the ESSA adds several new provisions. These include, in part:

- The requirement that a State demonstrate that its challenging academic standards are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards (ESEA section 1111(b)(1)(D)(i));
- The requirement that a State conduct meaningful and timely consultation with State leaders, including the Governor, members of the State legislature, 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 applicable), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents when developing the challenging academic standards and assessment systems and the English language proficiency (ELP) standards and assessment systems (ESEA section 1111(a)(1)(A));

- The option to exempt 8<sup>th</sup> grade students, who take the mathematics course associated with the high school mathematics assessment a State uses for Federal accountability purposes, from the 8<sup>th</sup> grade mathematics assessment the State typically administers (ESEA section 1111(b)(2)(C); 34 CFR § 200.5(b));
- The option to provide native language assessments for Native American and Alaska Native populations (34 CFR § 200.6(j));
- The requirement that a State ensure 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 (ESEA section 1111(b)(2)(B)(vii); 34 CFR § 200.6(b)(3), (f)(2)(i)); and
- The option for a State to allow LEAs to select and administer a nationally recognized high school assessment in lieu of the statewide high school assessment in a given subject, provided the assessment meets certain statutory and regulatory requirements (ESEA section 1111(b)(2)(H); 34 CFR § 200.3).

The ESEA as amended by the ESSA and its implementing regulations strengthen the requirements for assessing students with disabilities. For example, the use of appropriate accommodations may not deny students with disabilities the opportunity to participate in the assessment or any of the benefits afforded to any other students who are not students with disabilities (ESEA section 1111(b)(2)(B)(vii); 34 CFR § 200.6(b)(1), (3)). Additionally, the ESEA requires a State to reinforce the accessibility of assessments through appropriate accommodations for students with disabilities, and, to the extent practicable, incorporate principles of universal design for learning (UDL) for all required assessments (ESEA section 1111(b)(2)(B)(xiii); 34 CFR § 200.2(b)(2)(ii)). Also, the ESEA prohibits a State from precluding students with the most significant cognitive disabilities who take an AA-AAAS in an academic content area from attempting to complete requirements for a regular high school diploma, as defined in ESEA section 8101(43) (ESEA section 1111(b)(2)(D)(i)(VII); 34 CFR § 200.6(d)(4)). Moreover, if a State administers an AA-AAAS in an academic content area for students with the most significant cognitive disabilities, the ESEA requires that the AA-AAAS be aligned with the State's academic content standards for the grade in which the student is enrolled and yield results relative to the State's alternate academic achievement standards (ESEA section 1111(b)(1)(E)(i)(I), (b)(2)(D)(i); 34 CFR § 200.6(a)(2)(ii)(B)). Additionally, the ESEA requires that a State's alternate academic achievement standards reflect professional judgment as to the highest possible standards achievable by such students (ESEA section 1111(b)(1)(E)(i)(III); 34 CFR § 200.1(d)(3)), and be designed to ensure that a student who meets those standards is on track to pursue postsecondary education or competitive integrated employment consistent with ESEA section 1111(b)(1)(E)(i)(V) and 34 CFR § 200.2(b)(3)(ii)(B)(2)).

The ESEA as amended by the ESSA and its implementing regulations also strengthen the requirements for assessing ELs. For example, appropriate accommodations for ELs may not deny them the opportunity to participate in the assessments or any of the benefits afforded to any other students who are not ELs (ESEA section 1111(b)(2)(B)(vii); 34 CFR § 200.6(f)(1)(i), (2)(i)). The ESEA specifies that, to the extent practicable, academic content assessments (mathematics, reading/language arts, and science) must be administered in the language and form most likely to yield accurate and reliable information on what ELs know and can do in order to

determine the students' mastery of skills in academic content areas until the students have achieved English proficiency (ESEA section 1111(b)(2)(B)(vii)(III); 34 CFR § 200.6(f)(1)(ii)). The ESEA further requires a State to make every effort to develop assessments in languages other than English that are present to a significant extent in the participating student population (ESEA section 1111(b)(2)(F); 34 CFR § 200.6(f)(2), (4)).

Under the ESEA, requirements for ELP standards and assessments are covered under Title I rather than Title III. As a result, they are subject to many of the same requirements that govern a State's academic content assessments. They are subject to peer review by the Department and must meet all applicable requirements (ESEA section 1111(a)(4); 34 CFR § 200.2(d)). Each State must submit evidence for peer review that its ELP assessment provides valid and reliable results, is aligned with the State's ELP standards, and is consistent with nationally recognized professional and technical testing standards (34 CFR § 200.6(h)(2)). The ELP assessments that are subject to peer review requirements are covered in section 1111(b)(2)(G) of the ESEA and 34 CFR § 200.6(h). In other words, a State's annual ELP assessment and the AELPA are subject to peer review.

ELs with disabilities must be provided accommodations on the ELP assessment (e.g., accessible formatting) so that these students are afforded the opportunity to demonstrate what they know and can do (34 CFR § 200.6(h)(4)). A State must develop an AELPA for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular State ELP assessment, even with appropriate accommodations (34 CFR § 200.6(h)(5)). A State may choose to implement an AELPA aligned with the grade-level/grade-band achievement standards, or it may choose to implement an AELPA aligned with alternate ELP achievement standards that the State has the option to develop.

Consistent with 34 CFR § 200.2(d), the following assessments must be submitted for peer review under ESEA section 1111(a)(4):

- General mathematics and reading/language arts for grades 3-8 and high school (ESEA section 1111(b)(2));
- General science administered at least once in each of these grade spans: 3-5, 6-9, and 10-12 (ESEA section 1111(b)(2));
- AA-AAAS in mathematics, reading/language arts, and science for students with the most significant cognitive disabilities for the grades described above (ESEA section 1111(b)(2)(D));
- ELP assessments for grades K-12 (ESEA section 1111(b)(2)(G));
- AELPA for ELs who are students with the most significant cognitive disabilities in grades K-12 (34 CFR § 200.6(h)(5));
- If applicable, locally selected, nationally recognized high school academic assessments (ESEA section 1111(b)(2)(H));
- If applicable, assessments used for the 8<sup>th</sup> grade mathematics exception (ESEA section 1111(b)(2)(C));
- If applicable, content assessments in a student's native language for ELs (ESEA section 1111(b)(2)(F)); and
- If applicable, content assessments in a Native American language (34 CFR § 200.6(j)).



## **B. THE ASSESSMENT PEER REVIEW PROCESS**

### **Overview**

The Department's review of State assessment systems is an evidence-based, peer review process for which each State submits evidence to demonstrate that its assessment system meets a set of established criteria, called critical elements.

**Critical Elements.** The critical elements in Part II of this document represent the ESEA statutory and regulatory requirements that State assessment systems must meet. This guide divides them into critical elements covered under seven sections: (1) Statewide System of Standards and Assessments, (2) Assessment System Operations, (3) Technical Quality – Validity, (4) Technical Quality – Other, (5) Inclusion of All Students, (6) Academic Achievement Standards and Reporting, and (7) Locally Selected, Nationally Recognized High School Academic Assessments (if applicable). The map of critical elements included in Part II provides an overview of the seven sections and the critical elements within each section.

**Evidence-Based Review.** The ESEA requires that each State submit evidence for its assessment system that addresses each critical element. Consistent with ESEA sections 1111(b)(1)(A) and 1111(b)(1)(G)(i), the Department does not require a State to submit its academic content standards or its ELP standards as part of the peer review. In addition, the Department does not require a State to include or delete any specific content in its academic content or ELP standards or require a State to use specific assessment instruments or items (ESEA section 1111(e)(1)(B)(ii), (iii)(II)). The assessment peer review focuses on the processes for assessment development employed by a State and the relevant documentation and evidence that confirm the technical quality of the State's assessment system.

**Scheduling.** The Department will notify States of the schedule for upcoming assessment peer reviews. Specifically, the Department will notify States regarding the submission of evidence for the ELP assessment within six months of the publication of this document. The Department will also notify States regarding the submission of evidence for the AELPA within eighteen months of the publication of this document. A State implementing new assessments or a State that has made significant changes to previously reviewed assessments should submit its assessment system for assessment peer review approximately six months after the first operational administration of its new or significantly changed assessments, or the next available scheduled peer review and prior to the second administration of the new or revised assessments (see also Exhibit 1). If a State wishes to permit an LEA to administer a nationally recognized high school academic assessment in place of the State's high school academic content assessment, then it must present evidence for peer review for each nationally recognized assessment demonstrating that the assessment meets the requirements in ESEA section 1111(b)(2)(H) and 34 CFR § 200.3(b) prior to allowing an LEA to administer such assessment.

**Expert Peer Reviewers.** To determine if a State has met ESEA standards and assessment requirements, the Department uses a peer review process involving experts in the field of educational standards and assessments. Based on the evidence a State submits, the reviewers

evaluate the State's assessment system against ESEA requirements and provide their evaluations to the Assistant Secretary for Elementary and Secondary Education (Assistant Secretary).

**Selection of Assessment Peer Reviewers.** Assessment peer reviewers are individuals who have strong technical expertise necessary for reviewing State assessment systems and practical experiences in applying that expertise to the operation of State assessment systems. Each assessment peer reviewer is selected by the Department based on the individual's experience and expertise, with an emphasis on knowledge of technical aspects of large-scale assessments, experience with the operation of State assessment systems, and relevant specialized expertise (such as in the relevant content areas, with technology-based assessments or with AA-AAAS). Assessment peer reviewers are selected from lists of individuals who have previously served as assessment peer reviewers for the Department or as reviewers and consultants for other assessment-related activities for the Department; recommendations by Department staff; and recommendations from the field. Assessment peer reviewers are screened to ensure they do not have a conflict of interest.

**Role of Assessment Peer Reviewers.** Using the critical elements in this document as a framework, assessment peer reviewers apply their professional judgment and relevant professional experiences to evaluate the degree to which evidence provided about a State's assessment system addresses each of the critical elements. Their evaluations inform the decision by the Assistant Secretary as to whether the State has sufficiently demonstrated that its assessment system addresses each critical element.

Assessment peer reviewers work in teams to review evidence submitted by a State. The Department selects peer reviewers and assembles the peer review team, aiming to balance peer reviewer expertise and experience in general. Where applicable, the Department selects peer reviewers who have the expertise and experience needed for the particular assessments a State has submitted for assessment peer review (e.g., technology-based assessments, ELP assessments, the AELPA, or AA-AAAS). The final configuration of an assessment peer review team, typically three reviewers, is determined by the Department. To protect the integrity of the assessment peer review process, the identity of the assessment peer review team for a specific State will remain anonymous.

During the peer review, the first step is for each of the assessment peer reviewers to independently review the materials submitted by a State and record their evaluation on an assessment peer review notes template. Next, at an assessment peer review team meeting, the assessment peer reviewers discuss the State's submitted evidence with respect to each critical element, allowing the peer reviewers to strengthen their understanding of the evidence and to inform their individual evaluations. If there are questions or additional evidence appears to be needed, the Department may facilitate a conversation or communication between the peer reviewers and the State to clarify the State's evidence. Based upon each peer reviewer's review of the State's documentation, he or she will note where additional evidence or changes in a State assessment system may be necessary for the State to meet the ESEA requirements; assessment peer reviewers may also present suggestions for addressing the outstanding requirements or highlight best practices in their notes. Although the assessment peer reviewers on a team are

expected to generate one set of assessment peer review notes that reflect their review and evaluation of the State's evidence, they are not expected to reach consensus.

The assessment peer review notes serve two purposes. First, they serve as the record of the assessment peer review team's evaluation of a State's evidence for the Assistant Secretary. Second, soon after the assessment peer review ends, the assessment peer review notes are provided to the State as technical assistance and preliminary feedback prior to a formal decision regarding the outcome of the review. The assessment peer review notes, however, do not necessarily identify the final set of additional evidence, if any, which a State may need to submit to demonstrate that its assessment system meets all of the critical elements.

**Training and Support for Assessment Peer Reviewers.** Assessment peer reviewers will be trained in interactive training sessions with other assessment peer reviewers. Training will be based primarily on this document. Prior to the assessment peer review team meeting, each member of an assessment peer review team will be sent the following items: materials submitted to the Department by a State; this document; and an assessment peer review notes template. This allows for a thorough and independent review of the evidence before the assessment peer review team meeting.

**Role of Department Staff.** For some critical elements that serve as compliance checks or checks on processes, Department staff will review the evidence submitted by a State, as shown in the map of the critical elements. Department staff will determine either that the requirement has been adequately addressed or forward the evidence to the assessment peer review team for further review. In addition, one or more Department staff will be assigned as a liaison to each State participating in an assessment peer review and to the assessment peer review team for that State throughout the assessment peer review process. The Department liaison will serve as a contact and support for the State and for the assessment peer review team.

**Outcomes of Assessment Peer Review.** Following a review of evidence through assessment peer review, a State first will receive feedback in the form of assessment peer review notes. Assessment peer review notes do not constitute a formal decision by the Assistant Secretary. Instead, they provide initial feedback regarding the assessment peer reviewers' evaluation and recommendations based on the evidence submitted by the State. A State should consider such feedback as technical assistance and not as formal feedback or direction to make changes to its assessment system.

The Assistant Secretary will provide formal feedback to a State regarding whether the State has provided sufficient evidence to demonstrate that its assessment system meets all applicable ESEA statutory and regulatory requirements following the assessment peer review. If a State has not provided sufficient evidence, the Assistant Secretary will identify the additional evidence necessary to address the critical elements. The Department will work with the State to develop a plan and timeline for submitting the additional evidence for assessment peer review.

**Assessment Peer Review and Civil Rights Compliance.** The assessment peer review will not evaluate or provide recommendations regarding whether a State's assessment system complies with Federal civil rights laws that prohibit discrimination based on race, color, national origin,

sex, disability, and age. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and applicable requirements in the Individuals with Disabilities Education Act (IDEA).

### **ESEA Requirements for Assessment Peer Review When a State Makes a Change to a Previously Peer Reviewed State Assessment System**

In general, a significant change to a State assessment system is one that changes the interpretation of test scores. If a State makes a significant change to a component of its State assessment system that the State has previously submitted for assessment peer review, such as the adoption of new standards or assessments, ESEA section 1111(a)(6) requires that the State submit evidence related to the affected component for assessment peer review. A State should submit evidence for assessment peer review before, or as soon as reasonable following, the first operational administration of its assessment system with the change, and no later than prior to the second administration of its assessment system with the change.

To provide clarity about the implications of changes to State assessment systems, this document outlines three categories of changes (see Exhibit 1 for further details):

- *Significant change* is a change that clearly changes the interpretation of test scores and requires a new assessment peer review.
- *Adjustment* is a change between the extremes of significant and inconsequential and may or may not require a new assessment peer review.
- *Inconsequential change* is a minor change that does not impact the interpretation of test scores or substantially change other key aspects of a State's assessment system. For inconsequential changes, a new assessment peer review is not required.

A State making a change to its assessment system is encouraged to discuss the implications of the change for assessment peer review with its technical advisory committee (TAC). A State making a significant change or adjustment to its assessment system also is encouraged to contact the Department early in the planning process to determine if the adjustment is significant and to develop an appropriate timeline for the State to submit evidence related to significant changes for assessment peer review. Exhibit 1 provides examples of the three categories of changes. However, as noted in the exhibit, the changes listed in Exhibit 1 are merely illustrative and do not constitute an exhaustive list of the changes that fall within each category.

In addition, the ESEA and its implementing regulations require that a State that wishes to permit an LEA to administer a nationally recognized high school academic assessment in place of the State's high school assessment present evidence for peer review for each nationally recognized assessment demonstrating that the assessment meets ESEA requirements prior to allowing an LEA to administer such a test (ESEA section 1111(b)(2)(H)(iii); 34 CFR § 200.3(b)(2)(ii)).

The Department recognizes that some peer review of nationally recognized high school academic assessments may have occurred prior to a State selecting such a test for this flexibility. A State may inquire through its Office of State Support contacts as to the current peer review status of any nationally recognized high school assessment and whether the previous peer review impacts

the State's submission for peer review. A State may be able to build its peer review submission of a nationally recognized high school academic assessment upon evidence previously reviewed and approved through Department peer review.

### **Exhibit 1: Categories of Changes and Non-Exhaustive Examples of Assessment Peer Review Submission Requirements when a State Makes a Change to a Previously Peer Reviewed State Assessment System**

#### **New Assessments**

ESEA requires that submissions address sections 2, 3, 4, 5 and 6 of the appropriate critical elements

Significant	Always significant.
Adjustment	Not applicable.
Inconsequential	Not applicable.

#### **Development of a Technology-Based Version of an Assessment**

ESEA requires that submissions address critical elements 2.1–2.3, sections 3 and 4 of the appropriate critical elements

Significant	<ul style="list-style-type: none"> <li>Assessment delivery is changed from entirely paper-and-pencil to entirely computer-based.</li> <li>The new computer-based version of the assessment includes technology-enhanced items that are not available in the simultaneously administered paper-and-pencil version.</li> </ul>
Adjustment	<ul style="list-style-type: none"> <li>Assessment delivery is changed from a mix of paper-and-pencil and computer-based assessments to an entirely technology-based administration using a range of devices.</li> </ul>
Inconsequential	<ul style="list-style-type: none"> <li>Not applicable.</li> </ul>

#### **Development of a Native Language Version of an Assessment**

ESEA requires that submissions address critical elements 2.1 - 2.3, sections 3 and 4 of the critical elements

Significant	Always significant.
Adjustment	Not applicable.
Inconsequential	Not applicable.

#### **Changes to an Existing Test Design**

ESEA requires that submissions address critical elements germane to the change in test design, likely from sections 2, 3, 4 and 6 of the appropriate critical elements

Significant	<ul style="list-style-type: none"> <li>State's approved reading/language arts assessment included multiple constructed-response items for each academic content standard and the State replaces these items with multiple-choice items.</li> <li>Change in the assessment purpose, use, design, or content (e.g., due to legislative or regulatory change or State policy).</li> </ul>
Adjustment	<ul style="list-style-type: none"> <li>State changes the number of items on its assessments (by more than a few items).</li> </ul>

	<ul style="list-style-type: none"> <li>Scoring conducted across an assessment consortium as a whole is changed to scoring conducted individually by consortium member States.</li> </ul>
Inconsequential	<ul style="list-style-type: none"> <li>State changes from on-site to virtual training for its scorers of extended-response items.</li> </ul>

### Changes to Test Administration

ESEA requires that submissions address critical elements germane to the change in test design, likely from sections 2 and 5 of the appropriate critical elements

Significant	<ul style="list-style-type: none"> <li>State shifts scoring of its alternate assessments aligned with alternate achievement standards from centralized third-party scoring to scoring by the test administrator.</li> </ul>
Adjustment	<ul style="list-style-type: none"> <li>State shifts from desktop computer-based test administration to Statewide test administration using a range of devices.</li> <li>State participates in an assessment consortium and shifts certain practices from consortium-level to State-level operation.</li> </ul>
Inconsequential	<ul style="list-style-type: none"> <li>State combines its trainings for test security and test administration.</li> </ul>

### Assessments Based on New Academic Achievement Standards or New ELP Achievement Standards

ESEA requires that submissions address section 6 of the appropriate critical elements

Significant	<ul style="list-style-type: none"> <li>Comprehensive revision of State's academic or ELP achievement standards (e.g., performance-level descriptors, cut-scores).</li> </ul>
Adjustment	<ul style="list-style-type: none"> <li>Smoothing of cut-score across grades after multiple administrations.</li> </ul>
Inconsequential	<ul style="list-style-type: none"> <li>Implementation of planned adjustment to State's achievement standards that were reviewed and approved during assessment peer review.</li> </ul>

### Assessments Based on New or Revised Academic Content Standards or ELP Standards

ESEA requires that submissions address sections 1, 2, 3, 4, 5 and 6 of the appropriate critical elements

Significant	<ul style="list-style-type: none"> <li>Adoption of completely new academic content standards or ELP standards, or comprehensive revision of the State's academic content standards or ELP standards to which assessments must be aligned.</li> </ul>
Adjustment	<ul style="list-style-type: none"> <li>State makes minor changes to its academic content standards or ELP standards to which assessments must be aligned by moving a few benchmarks within or between standards, but assessment blueprints are not affected and test results are comparable after equating.</li> </ul>
Inconsequential	<ul style="list-style-type: none"> <li>State makes minor formatting changes, non-substantive word edits or corrections to typos in its academic content standards or ELP standards, which do not change the interpretation of test scores.</li> </ul>

### Locally Selected, Nationally Recognized High School Academic Assessments Used in Place of State High School Assessments

ESEA requires that submissions address ALL sections 1, 2, 3, 4, 5, 6 and 7 of the critical elements

Significant	<ul style="list-style-type: none"> <li>A State that allows LEAs to use a nationally recognized high school academic assessment in place of the State's high school assessment must always submit evidence for peer review demonstrating that the nationally recognized assessment meets ESEA requirements prior to its use.</li> </ul>
Adjustment	Not applicable.
Inconsequential	Not applicable.

### C. PREPARING AN ASSESSMENT PEER REVIEW SUBMISSION

A State should use this document to prepare its submission for assessment peer review. The *State Assessment Peer Review Submission Cover Sheet and Index Template* (see most current version posted online at <https://www2.ed.gov/admins/lead/account/saa.html>) includes a checklist a State can use to prepare an assessment peer review submission.

#### Content and Organization of a State Submission for Assessment Peer Review

**Submission by State.** A State should send its submission to the Department according to the schedule for assessment peer reviews announced by the Department. The Department will notify States regarding the submission of evidence for the ELP assessment within six months of the publication of this document. The Department will also notify States regarding the submission of evidence for the AELPA within eighteen months of the publication of this document. For all statewide assessments, a State should submit its assessment systems for assessment peer review approximately six months after the first operational administration of new or significantly changed assessments. The ESEA requires that a State that wishes to permit an LEA to administer a nationally recognized high school academic assessment in place of the State's high school assessment present evidence for peer review for each nationally recognized test demonstrating that the assessment meets ESEA requirements prior to allowing an LEA to administer such a test (ESEA section 1111(b)(2)(H)(iii); 34 CFR § 200.3(b)(2)(ii)). The Department encourages each State to plan for preparing its peer review submission according to this timeline. A State is expected to submit evidence regarding its State assessment system approximately four weeks prior to the scheduled assessment peer review date for the State.

For assessments administered by multiple States, the Department will conduct a single review of the evidence that applies to all States implementing the same assessments. This approach both promotes consistency in the review of such assessments and reduces burden on States in preparing for assessment peer review. This review of common evidence will also include nationally recognized high school tests, if States collaborate in submitting evidence for these tests.

**What to Include in a Submission.** A State's submission includes the following parts:

- 1) State Assessment Peer Review Submission Cover Sheet;
- 2) State Assessment Peer Review Submission Index; and
- 3) Evidence to address each critical element that applies.

***State Assessment Peer Review Submission Cover Sheet and Index Template.*** The *State Assessment Peer Review Submission Cover Sheet and Index Template* (see most current version posted online at <https://www2.ed.gov/admins/lead/account/saa.html>) includes the cover sheet that a State must submit with each submission of evidence for peer review. It also includes an index template aligned to the critical elements in seven sections as shown in the map of the critical elements. Each State should use this State Assessment Peer Review Submission Index Template to prepare an index to its submission to accompany the evidence that the State submits. A State's prepared index should outline the evidence for each critical element with the following:

- 1) Identification of the critical element;
- 2) List of the evidence submitted to address the critical element (e.g., relevant document(s) and page number(s);
- 3) Indication of where evidence that addresses the applicable critical element can be found in the State's submission; and
- 4) As applicable, a brief narrative of how the evidence addresses the critical element or any explanatory notes relevant to the evidence.

Because a State will submit numerous pieces of evidence, the Department recommends that the State use a coding or naming scheme to identify the various pieces of evidence cited in its State Assessment Peer Review Submission Index. Exhibit 3, at the end of this part of this document, shows suggested formats for how a State might present its submission.

**Preparing Evidence.** The Department encourages a State to take into account the following considerations in preparing its submission of evidence. See Exhibit 2 for examples of the State submission of evidence.

The description and examples of evidence apply to each assessment in the State's assessment system (e.g., general and alternate assessments, assessments in each content area). For example, for Critical Element 2.3 – Test Administration, a State must address the critical element for both its general assessments and its alternate assessments. In general, evidence submitted should be based on the most recent year of test administration in the State.

Multiple critical elements are likely to be addressed by the same documents. In such cases, a State is encouraged to streamline its submission by submitting one copy of such evidence and cross-referencing the evidence across critical elements in the completed State Assessment Peer Review Submission Index for its submission. For example, it is likely that the test coordinator and test administration manuals, the accommodations manual, technical reports for the assessments, results of an independent alignment study, and the academic achievement standards-setting report will address multiple critical elements for a State's assessment system. A State should avoid submitting the same document multiple times but should simply reference specific page numbers appropriate to each critical element.



Similarly, if certain pieces of evidence are substantially the same across assessments, a sample, rather than the full set of such evidence, may be submitted. For example, if a State has submitted all of its grades 3-8 and high school reading/language arts and mathematics assessments for assessment peer review, sample individual student reports must be submitted for both general and alternate assessments under Critical Element 6.4 – Reporting. However, if the individual student reports are substantially the same across grades, the State may choose to submit a sample of the reports, such as individual student reports for both subjects for grades 3, 7, and high school and provide narrative explaining that they are not substantively different. Note: this would not be acceptable for a fundamental component of the system, such as the alignment of the assessment to a State’s academic content standards. The State needs to submit information for all grades and subjects, such as an independent alignment study, to demonstrate the validity of the assessment based on content.

For some critical elements, a State should consider providing two types of evidence: (1) evidence of State policy; and (2) evidence that the policy was carried out. For example, in Critical Element 2.4 – Monitoring Test Administration, a State should provide evidence of monitoring policies and protocols, as well as evidence that monitoring occurred. This could include a monitoring report or a list of recent monitoring activity.

A State should prepare its submission in electronic format and the files should be clearly indexed, with corresponding electronic folders, folder names, and filenames. For evidence that is typically presented in an Internet-based format, screenshots may be submitted as evidence. Links to websites should not be submitted as evidence. Each State should consult the Department when planning its peer review submission to receive a specific timeline for its review. At that time, a State will receive detailed instructions on how to submit the electronic evidence and index files for that peer review session.

**Exhibit 2: Examples of a Prepared State Index for Selected Critical Elements**  
**Critical Element 4.2 – Fairness and Accessibility (EXAMPLE)**

	<b>Evidence</b>	<b>Notes</b>
<p><i>For all State academic content and ELP assessments</i>, assessments should be developed, to the extent practicable, using the principles of universal design for learning. “Universal design for learning” means a scientifically valid framework for guiding educational practice that--</p> <p>(A) Provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and</p> <p>(B) Reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and ELs.</p> <p><b>For academic content assessments</b>, the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in the design, development and analysis of its assessments;</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 EL students with disabilities, in the design, development, and analysis of its assessments.</p>	<p><b>General assessments in reading/language arts and mathematics:</b></p> <p>Evidence #24: Technical Manual (2015). The technical manual for the State assessments documents steps taken to ensure fairness:</p> <ul style="list-style-type: none"> <li>• Pp. 30-37 discuss steps taken during design and development.</li> <li>• Pp. 86-92 discuss analyses of assessment data.</li> </ul> <p>Evidence #25: Summary of follow-up to differential item functioning (DIF) analysis.                      Evidence #26: Amendment to assessment contract requiring additional bias review for items and added instructions for future item development.</p> <p><b>Alternate assessments in reading/language arts and mathematics:</b></p> <p>The Example State’s alternate assessments were developed by the ABC assessment consortium. Evidence for the assessments was submitted on this State’s behalf by State X. (See State Assessment Peer Review Submission Cover Sheet)</p>	<p><b>General assessments in reading/language arts and mathematics:</b></p> <ul style="list-style-type: none"> <li>• DIF analyses showed differences by gender for several items in reading/language arts assessments for the grades 3 and 4. Examination of the items showed they all involved reading informational text. To address this for the next test administration, a sensitivity review of all grade 3 and 4 reading/language passages involving informational text will undergo an additional bias review. Instructions for item development in future years will be revised to address this as well.</li> </ul> <p><b>Alternate assessments in reading/language arts and mathematics:</b></p> <p>No notes.</p>

Why this works:

- Concise and clearly written
- Evidence, including page numbers, clearly identified
- Content areas addressed and clearly identified
- Both general and alternate assessments addressed, as appropriate
- Where evidence identified shortcoming, notes discuss how State is addressing
- Cross-references submission for assessment consortium

**Critical Element 5.2 – Procedures for Including English Learners (EXAMPLE)**

	<b>Evidence</b>	<b>Notes</b>
<p>The State has in place procedures to ensure the inclusion of all ELs in public elementary and secondary schools in the State’s academic content assessments and clearly communicates this information to districts, schools, teachers, and parents, including, at a minimum:</p> <ul style="list-style-type: none"> <li>• Procedures for determining whether an English learner should be assessed with a linguistic accommodation(s);</li> <li>• Information on accessibility tools and features available to all students and assessment accommodations available for ELs;</li> </ul> <p>Information regarding selection of appropriate linguistic accommodations for ELs, including to the extent practicable assessments in the language most likely to yield accurate and reliable information on what those students know and can do to determine the students’ mastery of skills in academic content areas</p>	<p>The Example State’s procedures for determining whether an English learner should be assessed with accommodation(s) on either the State’s general assessment or AA-AAAS are in:</p> <ul style="list-style-type: none"> <li>- Instructions for Student Language Acquisition Plans for ELs;</li> <li>- Template for Language Acquisition Plan for ELs.</li> </ul> <p>For the general assessments, information on accessibility tools and features is in:</p> <ul style="list-style-type: none"> <li>- District Test Coordinator Manual (see p. 5)</li> <li>- School Test Coordinator Manual (see p. 7)</li> <li>- Test administrator manuals (grade 3 for reading/language arts, grade 8 for math – see p. 5 of each)</li> </ul> <p>For the general assessments, information regarding selection of accommodations is in:</p> <ul style="list-style-type: none"> <li>- State Accommodations Manual (see pp. 23-32).</li> </ul> <p>For the AA-AAAS, information on accessibility tools and features and accommodations is in:</p> <ul style="list-style-type: none"> <li>- District Test Coordinator Manual (see p. 6)</li> <li>- School Test Coordinator Manual (see p. 5)</li> <li>- Test administrator manuals (see p. 5)</li> </ul> <p>Evidence:</p> <ul style="list-style-type: none"> <li>- Folder 6, File #22 – Instructions for student Language Acquisition Plan for ELs</li> <li>- Folder 6, File #23 – Template for Language Acquisition Plan for ELs.</li> <li>- Folder 6, File #24 - District Test Coordinator Manual;</li> <li>- Folder 6, File #25 - School Test Coordinator Manual;</li> <li>- Folder 6, File #26 – Grade 3 Reading/language Arts Test Administration Manual</li> <li>- Folder 7, File #27 – Grade 8 Math Test Administration Manual</li> <li>- Folder 8, File #28 – Grade 10 Reading/language Arts and Math Administration Manual)</li> <li>- Folder 9, File #29 -- State Accommodations Manual</li> </ul>	<p>The Example State’s Language Acquisition Plan for ELs applies to both students who take general assessments and students who take the State’s AA-AAAS.</p>

until the students have achieved English language proficiency.		
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Why this works:

- Concise and clearly written
- Evidence, including page numbers, clearly identified
- Addresses coordination and consistency across assessments, as appropriate
- Notes provided only where helpful

**Coordination of Submissions for States that Administer the Same Assessments**

In the case of multiple States administering the same assessment(s), the Department will hold one assessment peer review for those assessments in order to reduce the burden on States and to promote consistency in the assessment peer review. This includes groups of States that formed consortia for the purpose of developing assessments and States that administer the same commercially developed assessments (e.g., multiple States that are all administering the same commercially developed test as their high school assessment). Note: States that elect this shared approach to peer review submission are expected to collaboratively determine the evidence that is to be commonly reviewed for all States.

For evidence that is common across an assessment administered in multiple States, the submission of evidence should be coordinated, ideally with one State submitting the evidence on behalf of all States administering the assessment. Each State also must submit State-specific evidence that is not common among States that administer the same assessment(s). As described below, in its State-specific submission, an individual State should cross-reference the coordinated submission. A State for which a coordinated submission of evidence is part of its evidence for assessment peer review is encouraged to submit its State-specific evidence at the same time as the coordinated submission.

A specific State or organization submitting on behalf of a consortium of States that administer the same assessment(s) must identify the States on whose behalf the evidence is submitted. Correspondingly, each State administering the same assessment should include in its State-specific submission a letter that affirms that the consortium is submitting assessment peer review evidence on its behalf.

Exhibit 3 below outlines which critical elements the Department anticipates may be addressed by evidence that is State-specific and evidence that is common among States that administer the same assessment(s). The evidence needed to fully address some critical elements may be a hybrid of the two types of evidence. For example, under Critical Element 2.3 – Test Administration, test administration and training materials may be the same across States administering the same assessment(s) while each individual State may conduct various trainings for test administration. In such an instance, the submitting State would submit the test administration and training materials, and each State would separately submit evidence regarding implementation of the actual training. This information is also displayed graphically on the map of the critical elements.

**Exhibit 3: Evidence for Critical Elements that Likely Will Be Addressed by Submissions of Evidence that are State-Specific, Coordinated for States Administering the Same Assessments, or a Hybrid**

Evidence	Critical Elements
State-specific evidence	1.1, 1.2, 1.3, 1.4, 1.5, 2.4, 5.1, 5.2, 6.1, 7.1, 7.2 and 7.3
Coordinated evidence for States administering the same assessments	2.1, 2.2, 3.1, 3.2, 3.3, 3.4, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 6.2 and 6.3
Hybrid evidence	2.3, 2.5, 2.6, 5.3, 5.4 and 6.4

A State that administers an assessment that is the same as an assessment administered in other States in some ways but that also differs from the other States’ assessment in certain ways should consult


Department staff for technical assistance on how requirements for submission apply to the State's circumstances.

## How to Read the Critical Elements

**Critical Elements and Examples of Evidence.** Each critical element includes two parts: the critical element and examples of evidence. Critical elements are organized to address all required assessments, with relevant distinctions made within each critical element.

*Critical Element.* The critical element is a statement of the relevant requirement, and a State must submit evidence to document that its assessment system meets the requirement. The set of evidence submitted for each critical element, collectively, should address the entirety of the critical element.

*Examples of Evidence.* Examples of evidence associated with each critical element within Part II of this document are generally illustrative. A State may address the critical elements in a range of ways. The examples of evidence provided are intended to facilitate preparation of a State's assessment peer review submission by illustrating or suggesting documentation often available to States that likely would address the critical element in whole or in part. Not all of the listed evidence may be necessary for each State submission, and a State may determine that other types of evidence better address a critical element than those included in Part II of this document.

For technology-based assessments, some evidence, in addition to that required for other assessment modes, is needed to address certain critical elements due to the nature of technology-based assessments. In such cases, examples of evidence unique to technology-based assessments are identified with an icon of a computer. 

For an AA-AAAS and AELPA, the evidence needed to address some critical elements may vary from the evidence needed for a State's general assessments due to the nature of the alternate assessments. For some critical elements, different examples of evidence are provided for an AA-AAAS/AELPA. For other critical elements, additional evidence to address the critical elements for an AA-AAAS/AELPA is listed. In such cases, examples of evidence unique to an AA-AAAS/AELPA are identified with an icon of **AA-AAAS/AELPA**.

For aspects of elements that are specific to the review requirements for **academic content standards and academic content assessments**, the critical element and examples will be **highlighted in bold-faced underlined text**. For aspects of elements that are specific to the review requirements for *ELP standards and ELP assessments*, the critical element and examples will be **highlighted in bold-faced italicized text**. Anything appearing in normal font type applies to all assessments in a State's assessment system.

## D. TERMINOLOGY

**Key Terminology.** The following explanations of terms apply specifically to the different types of standards and assessments reviewed through this process.

### Standards

*Academic content standards.* Academic content standards are statements of the knowledge and skills that schools are expected to teach and students are expected to learn. They must contain coherent and rigorous content and encourage the teaching of advanced skills. They must be aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards. Effective academic content standards are clear and specific and give teachers, students, and parents sufficient direction to guide teaching and learning. Thus, academic content standards should be written in clear, jargon-free, and straightforward prose that is accessible to a wide range of audiences.

*Academic achievement standards.* Academic achievement standards are explicit definitions of how students are expected to demonstrate attainment of the knowledge and skills reflected in the content standards. A score from a test aligned with the content standards is one method of defining an achievement standard. Academic achievement standards include achievement levels, descriptors, and cut scores.

*Alternate academic achievement standards.* Alternate academic achievement standards set expectations of performance that differ in scope and complexity from grade-level achievement standards. A State may adopt alternate academic achievement standards for students with the most significant cognitive disabilities and administer an AA-AAAS aligned with those standards. Alternate academic achievement standards must: (1) be aligned with the State’s challenging academic content standards for the grade in which the student is enrolled; (2) promote access to the general education curriculum consistent with the IDEA; (3) reflect professional judgment as to the highest possible standards achievable for students with the most significant cognitive disabilities; (4) be designated in the individualized education program (IEP)<sup>3</sup> for each student to whom alternate academic achievement standards apply; and (5) be aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or competitive integrated employment, consistent with ESEA section 1111(b)(1)(E)(i)(V) and 34 CFR § 200.2(b)(3)(ii)(B)(2).

*English language proficiency (ELP) standards.* ELP standards refer to instructional standards for ELs that are (1) derived from the four recognized domains of speaking, listening, reading, and writing; (2) address the different proficiency levels of ELs; and (3) align or correspond with the challenging State academic standards. This alignment is defined on the following page as “ELP standards alignment with State academic content standards.” In this document, the term “ELP standards” will specifically be used for critical elements 1.1 and 1.2 and validity related to test content and alignment found in critical elements

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<sup>3</sup> References to IEPs throughout this document apply to children with disabilities who have an IEP that is developed, reviewed, and revised in accordance with the requirements in section 614(d) of the IDEA and 34 CFR §§ 300.320-300.324 of the IDEA Part B regulations. The IEP Team refers to the group of individuals described in IDEA section 614(d)(1)(B) and 34 CFR § 300.321 that is responsible for developing, reviewing, or revising an IEP for a child with a disability.

2.1, 2.2, 3.1, 3.2, 3.3 and 3.4. In the field of ELP assessment, some States and organizations may refer to these standards as English language development (ELD) standards. In this document, references to ELP standards apply to either a State's ELP standards or its ELD standards, if the State has elected to define these standards using that terminology.

*English language proficiency (ELP) achievement standards.* ELP achievement standards refer to specific cut-scores and other procedures needed to interpret a State's ELP assessment scores in a manner that is aligned with the State's ELP standards (see above definition). ELP achievement standards is not a term that is regularly used in the field of ELP assessments, but the term serves to distinguish this concept from ELP standards. In this document, ELP achievement standards will specifically be used to describe technical aspects of assessment achievement standards setting, alignment with ELP standards, and reporting found in critical elements 6.1, 6.2, 6.3, and 6.4.

*ELP standards alignment with State academic content standards.* The statutory requirement that ELP standards be "aligned with" the State's academic standards means that the ELP standards correspond to the State academic content standards. ELP standards should 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 in at least reading/language arts, mathematics, and science. Note: This correspondence does not imply that ELP standards require the inclusion of knowledge, skills, or vocabulary from a State's academic content standards.

*Alternate ELP achievement standards.* Alternate ELP achievement standards set expectations of performance that differ in scope and complexity from grade-level/grade-band achievement standards. A State may adopt alternate ELP achievement standards for ELs with the most significant cognitive disabilities who will take an AELPA because they cannot take the regular State ELP assessment even with accommodations. Alternate ELP achievement standards should: (1) be aligned with the State's ELP standards for the grade in which a student is enrolled; (2) promote access to the level of ELP necessary to benefit from the general education curriculum consistent with the IDEA; and (3) reflect professional judgment of the highest ELP achievement standards possible for ELs who are students with the most significant cognitive disabilities. Given that ELP achievement standards are often based upon grade "bands" or ranges (e.g., K-2, 3-5, etc.), it is anticipated that alternate ELP achievement standards would mirror a similar grade-band structure.

## **Assessments**

*Assessments aligned to the State's academic content standards.* The ESEA requires that a State's assessment system assess the depth and breadth of the State's grade-level academic content standards (ESEA section 1111(b)(2)(B)(ii); 34 CFR § 200.2(b)(3)(ii)(A)(2)). Assessing the breadth and depth of a State's academic content standards means that each State assessment covers the domains or major components within a content area. For example, if a State's academic content standards for mathematics identify the domains of number sense, measurement, geometry and data analysis, assessing the breadth and depth of mathematics means that the assessment is aligned to all four of those domains. Assessing the breadth and depth of a State's standards also means that specific content in a State's academic content standards is not systematically excluded from a State's assessment system. Assessing the breadth and depth of standards, however, does not mean that each State assessment must annually cover all discrete



knowledge and skills represented within a State's academic content standards; rather, assessing the breadth and depth of a State's academic standards means that a State's assessment system covers all of the knowledge and skills over a period of time. Both Critical Element 2.1 – Test Design and Development and Critical Element 3.1 – Overall Validity, including Validity Based on Content examine whether a State's assessment system is aligned to the depth and breadth of the State's academic content standards.

In addition to ensuring that each assessment covers the breadth and depth of the domains or major components represented in a State's grade-level academic content standards for a content area, a State may include additional content from adjacent grades in its assessments to provide additional information to parents and teachers regarding student achievement. If a State includes content for both the grade in which a student is enrolled and adjacent grades, assessing the breadth and depth of a State's academic content standards means: (1) that each State assessment assesses the breadth and depth of the State's content standards for the tested grade, as described above, (2) that the assessment provides a score for the student that is based only on the student's performance on grade-level academic content standards, and (3) that each student's score is at least as precise as the score for a student assessed only on grade-level academic content standards. Because assessing off-grade-level content – i.e., content above or below the grade in which a student is enrolled – is, by definition, not part of assessing the breadth and depth of a State's grade-level academic content standards, evidence for assessment peer review (e.g., validity studies, achievement standards-setting reports) that reflects the inclusion of off-grade-level content would not be applicable to addressing the critical elements, and only student performance based on grade-level academic content and achievement standards would meet accountability and reporting requirements under Title I.

*Alternate assessments in academic content areas aligned with alternate academic achievement standards (AA-AAAS).* The ESEA requires that a State's assessment system may provide for alternate assessments for students with the most significant cognitive disabilities whose IEP Teams determine cannot participate in the State's academic content assessments, even with appropriate accommodations. If a State has adopted alternate academic achievement standards for students with the most significant cognitive disabilities permitted under ESEA section 1111(b)(1)(E), then the ESEA requires that a State develop alternate assessments in academic content areas for those students (ESEA section 1111(b)(2)(D); 34 CFR § 200.6(c)). An AA-AAAS must be aligned to the State's grade-level academic content standards, but may assess the grade-level academic content standards with reduced breadth and cognitive complexity than the general assessments. For an AA-AAAS, extended academic content standards often are used to show the relationship between the State's grade-level academic content standards and the content assessed on the AA-AAAS. An AA-AAAS includes content that is challenging for students with the most significant cognitive disabilities, promotes the student's involvement and progress in the general education curriculum consistent with the IDEA, and does not contain unrelated content (e.g., functional skills). Evidence of how breadth and cognitive complexity are determined and operationalized should be submitted as part of Critical Element 2.1 – Test Design and Development.

*ELP assessments.* A State's annual ELP assessment is designed to measure an English learner's proficiency in the English language. Under ESEA section 1111(b)(2)(G), ELP assessments must be aligned to the ELP standards under section 1111(b)(1)(F) and measure ELs' proficiency levels annually in the four recognized domains of language: speaking, listening, reading, and writing. An ELP assessment may incorporate items from each of the four domains separately (e.g., in four sub-tests) or in an integrated manner (e.g., a test with a receptive language component and a productive language component).

*Alternate ELP assessments (AELPA).* A State’s assessment system must provide for alternate assessments for ELs with the most significant cognitive disabilities who cannot participate in the State ELP assessment, even with appropriate accommodations (34 CFR § 200.6(h)(5)). A State may develop alternate ELP achievement standards for the AELPA. An AELPA must be aligned to the State’s ELP standards for the grade in which the student is enrolled, but may assess the grade-level/grade-band ELP standards with reduced breadth and cognitive complexity than general ELP assessments. Extended ELP standards may be used to show the relationship between the State’s grade-level/grade-band standards and the content assessed on the AELPA. AELPA must include ELP content that is challenging for ELs with the most significant cognitive disabilities and may not contain unrelated ELP content. Evidence of how scope and complexity are determined and operationalized should be submitted as part of Critical Element 2.1 – Test Design and Development.

**Additional Terminology.** The following explanations of terms apply to the critical elements and examples of evidence.

*Accessibility tools and features.* This refers to adjustments to an assessment that are available for all test takers and are embedded within an assessment to remove construct-irrelevant barriers to a student’s demonstration of knowledge and skills. In some testing programs, sets of accessibility tools and features have specific labels (e.g., “universal tools” and “accessibility features”).

*Accommodations.* For purposes of this document, accommodations generally refer to adjustments to an assessment that provide better access for a particular test taker to the assessment and do not alter the assessed construct. These are applied to the presentation, response, setting, and/or timing/scheduling of an assessment for particular test takers. They may be embedded within an assessment or applied after the assessment is designed. In some testing programs, certain adjustments may not be labeled accommodations but are considered accommodations for purposes of peer review because they are allowed only when selected for an individual student. For academic content assessments, accommodations are generally given to ELs as needed, and to students with disabilities. For the ELP assessment, accommodations are provided only for students with disabilities. Accommodations provided during assessments must be determined in accordance with 34 CFR § 200.6(a) and (b).

*All public elementary and secondary schools.* This includes general public schools; public charter schools; public virtual schools; and special purpose schools, such as detention and residential centers under the authority of the State educational agency; and other schools that serve special populations (e.g., special education centers, State residential schools for deaf and blind children).

*All public elementary and secondary school students.* This includes *all* students enrolled in public schools, including ELs; students with disabilities; migratory students; students experiencing homelessness; and students placed in private schools using public funds. A child with a disability placed in a private school by a public agency for the purpose of receiving special education and related services must be included in the State assessment system.

*Collectively.* For some critical elements, the expectation is that a body of evidence will be required and the sum of the various pieces of evidence will be considered for the critical element. For example, for

Critical Element 3.1 – Overall Validity, including Validity Based on Content, the evidence will be evaluated to determine if, collectively, it presents sufficient validity evidence for the State’s assessments.

For such critical elements, a State should provide a summary of the body of evidence addressing the critical element, in addition to the individual pieces of evidence. Ideally, this summary is something the State has prepared for its own use (e.g., a chapter in the technical report for its assessments or a report to its TAC), as opposed to a summary created solely for the State’s assessment peer review submission. Such critical elements are indicated by beginning the corresponding descriptions of examples of evidence with the word “collectively.”

*Derived from the four domains of speaking, listening, reading, and writing.* A set of ELP standards and aligned assessment that incorporates items from each of the four domains separately (e.g., in four sub-tests) or in an integrated manner (e.g., a test with a receptive language component and a productive language component). These domains may be referred to as “components” by ELP standards that conceptualize the four domains in an integrated manner. In this document, domains and components will be used interchangeably within this context.

*Equal benefits for those students using allowable assessment accommodations.* A State must ensure that the use of appropriate accommodations does not deny a student with a disability or an EL (1) the opportunity to participate in the assessment; and (2) any of the benefits from participation in the assessment that are afforded to students without disabilities or non-ELs. One example might be the benefit of receiving a “college reportable” score from participation in a nationally recognized high school academic assessment used as a State assessment (34 CFR § 200.6(b)(3), (f)(2)(i)).

*Evidence.* Evidence means documentation related to a State’s assessment system that is used to address a critical element, such as State statutes or regulations; technical reports; test coordinator and administration manuals; and summaries of analyses. As much as possible, a State should rely for evidence on documentation created in the development and operation of its assessment system, in contrast to documentation prepared primarily for assessment peer review.

In general, the examples of evidence for critical elements refer to two types of evidence: procedural evidence and empirical evidence. Procedural evidence generally refers to steps taken by a State in developing and administering the assessment, and empirical evidence generally refers to analyses that confirm the technical quality of the assessments. For example, Critical Element 4.2 – Fairness and Accessibility requires procedural evidence that the assessments were designed and developed to be fair and empirical evidence that confirms they were fair when actually administered.

*Key documents.* Submitted evidence should reflect the State’s assessment system and the State’s standard, routine procedures for implementing its assessments. In addition, such assessment materials for districts and schools (e.g., test coordinator manuals, test administration manuals, accommodations manuals, etc.) should be consistent across assessments included in the State’s assessment system. To indicate cases in which it is especially important for “key” documents to be submitted as evidence, the term “key” is used in the critical element or examples of evidence.

*Nationally recognized high school academic assessment.* Under 34 CFR § 200.3(d), a “nationally recognized high school academic assessment” is “an assessment of high school students’ knowledge and

skills that is administered in multiple States and is recognized by institutions of higher education in those or other States for the purposes of entrance or placement into courses in postsecondary education or training programs.”

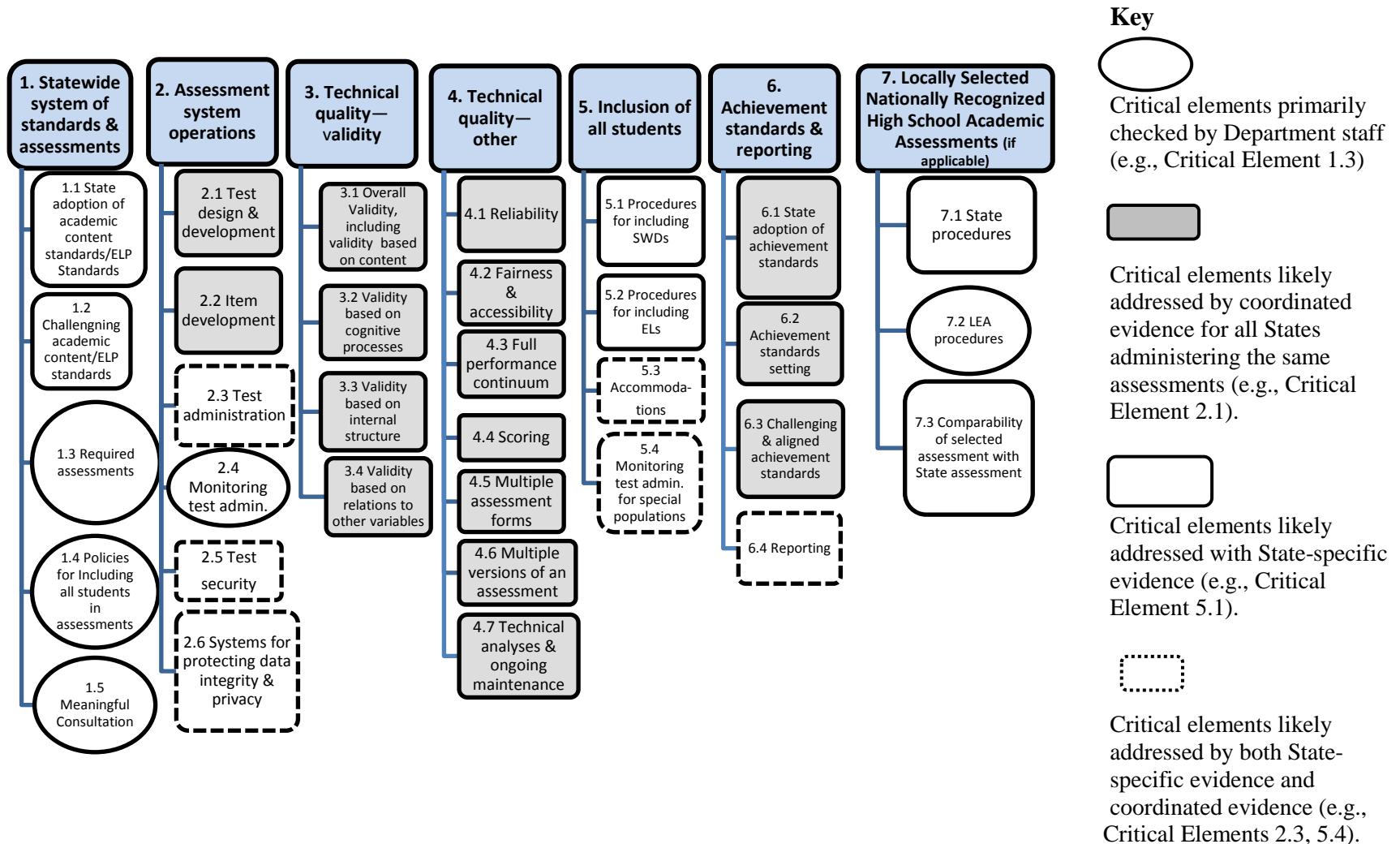
*Students with disabilities.* For the purposes of this document, and in accordance with 34 CFR § 200.6(a)(1), students with disabilities include (1) all children with disabilities as defined under section 602(3) of the IDEA; (2) students with the most significant cognitive disabilities who are identified from among the students in (1) of this definition; and (3) students with disabilities covered under other acts, including Section 504 of the Rehabilitation Act of 1973, as amended, and Title II of the ADA, as amended.

*Students with the most significant cognitive disabilities.* In accordance with 34 CFR § 200.6(d)(1), a State that has adopted alternate academic achievement standards and alternate assessments aligned with those standards must develop clear and appropriate guidelines for IEP teams to apply in determining, on a case-by-case basis which students with disabilities, as defined in section 602(3) of the IDEA, have the most significant cognitive disabilities so as to qualify them for assessment with an alternate assessment.

*Universal design for learning (UDL).* Under ESEA section 8101(51) and 34 CFR § 200.2(b)(2)(ii), UDL means a scientifically valid framework for guiding educational practice that –

- (1) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and
- (2) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and ELs.

## II – CRITICAL ELEMENTS FOR STATE ASSESSMENT PEER REVIEW



**SECTION 1: STATEWIDE SYSTEM OF STANDARDS AND ASSESSMENTS**

**Critical Element 1.1 – State Adoption of Academic Content Standards for All Students/ELP Standards for All English Learners**

	<b>Examples of Evidence</b>
<p><b><u>For academic content standards:</u></b>                      The State formally adopted challenging academic content standards for all students in reading/language arts, mathematics and science and applies its academic content standards to all public schools and public school students in the State.</p> <p><b><u>For English language proficiency (ELP) standards:</u></b>                      The State formally adopted K-12 ELP standards for all ELs in public schools in the State.</p>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• Evidence of adoption of: (1) the State’s <b><u>academic content standards</u></b> or (2) <b><i>ELP</i></b> standards, specifically:                             <ul style="list-style-type: none"> <li>○ Indication of <i>Requirement Previously Met</i>; or</li> <li>○ State Board of Education minutes, memo announcing formal approval from the Chief State School Officer to districts, legislation, regulations, or other binding approval of: (1) a particular set of <b><u>academic content standards</u></b> or (2) <b><i>ELP</i></b> standards;</li> </ul> </li> <li>• Documentation, such as either (1) <b><u>text prefacing the State’s academic content standards</u></b>, policy memos, State newsletters to districts, or other key documents, that explicitly state that the State’s academic content standards apply to all public elementary and secondary schools and all public elementary and secondary school students in the State; or (2) <b><u>text prefacing the State’s ELP standards</u></b>, policy memos, State newsletters to districts, or other key documents, that explicitly state that the State’s ELP standards apply to all ELs in the schools served by the State educational agency (K-12).</li> <li>• If LEAs can adopt their own <b><u>academic content standards</u></b> in a State, then the State must provide documentation that each LEA’s academic content standards meet all of the criteria in ESEA section 1111(b)(1) and 34 CFR § 200.1.</li> </ul> <p>Note: A State with <i>Requirement Previously Met</i> should note the applicable category in the State Assessment Peer Review Submission Index for its peer submission. <i>Requirement Previously Met</i> applies to a State that has academic content standards in reading/language arts, mathematics, or science that have not changed significantly since the State’s previous assessment peer review.</p>

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

	<b>Examples of Evidence</b>
<p><b><u>For academic content standards:</u></b>                      The State’s challenging academic content standards in reading/language arts, mathematics, and science are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.</p>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• Indication of <i>Requirement Previously Met</i>; or</li> <li>• Evidence that the <b><u>State’s academic content standards:</u></b> <ul style="list-style-type: none"> <li>○ Contain coherent and rigorous content and encourage the teaching of advanced skills, such as:                             <ul style="list-style-type: none"> <li>▪ A detailed description of the strategies the State used to ensure that its academic content standards adequately specify what students should know and be able to do;</li> <li>▪ Documentation of the process used by the State to benchmark its academic content standards to nationally or internationally recognized academic content standards;</li> </ul> </li> </ul> </li> </ul>

Note: For aspects of elements which are specific to the review requirements for **academic content standards and assessments**, the critical element and examples will be **highlighted in bold-faced underlined text**. For aspects of elements which are specific to the review requirements for ***ELP standards and assessments***, the critical element and examples will be **highlighted in bold-faced italicized text**. Anything appearing in normal font type applies to all assessments in a State’s assessment system.

<p><b>For ELP standards:</b> The ELP standards:</p> <ul style="list-style-type: none"> <li>are derived from the four domains of speaking, listening, reading, and writing;</li> <li>address the different proficiency levels of ELs; and</li> <li>align to the State academic content standards (see definition). 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.</li> </ul>	<ul style="list-style-type: none"> <li>Reports of external independent reviews of the State’s academic content standards by content experts, summaries of reviews by educators in the State, or other documentation to confirm that the State’s academic content standards adequately specify what students should know and be able to do;</li> <li>Endorsements or certifications by the State’s network of institutions of higher education (IHEs), professional associations and/or the business community that the State’s academic content standards represent the knowledge and skills in the content area(s) under review necessary for students to succeed in college and the workforce.</li> </ul> <ul style="list-style-type: none"> <li>Evidence that the <i>State’s ELP standards</i> are appropriate and correspond to the State’s academic content standards includes:             <ul style="list-style-type: none"> <li>Documentation that the four language domains (speaking, listening, reading, and writing), separately and/or in an integrated fashion, are included in the standards.</li> <li>Demonstration of a strong correspondence or linkage between the State’s academic content standards and the State’s ELP standards, such that the State can claim that language requirements outlined in the ELP standards correspond with the academic language demands of the State’s academic content standards. This evidence does not need to demonstrate that ELP standards include knowledge, skills, or vocabulary from the State’s academic content standards.</li> <li>A detailed description of the strategies the State used to ensure that its ELP standards adequately specify English language knowledge and skills necessary to reflect the language needed to acquire and demonstrate the skills identified in the State’s academic content standards in at least reading/language arts, mathematics, and science.</li> <li>Reports of external independent reviews of the State’s ELP standards, summaries of reviews by educators in the State, or other documentation. This documentation should confirm that the State’s ELP standards represent the English language proficiency expectations needed for ELs to demonstrate their achievement of 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.</li> </ul> </li> </ul>
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**Critical Element 1.3 – Required Assessments**

	<b>Examples of Evidence</b>
<p>The State’s assessment system includes annual general and alternate assessments aligned with <b>grade-level academic achievement standards</b> or alternate academic achievement standards in:</p> <ul style="list-style-type: none"> <li>Reading/language arts (R/LA) and mathematics in each of grades 3-8 and at least once in high school (grades 9-12);</li> </ul>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>A list of the <b>annual academic content assessments</b> the State administers in R/LA, mathematics and science including, as applicable, alternate assessments aligned with alternate academic achievement standards for students with the most significant cognitive disabilities and native language assessments, and the grades in which each type of assessment is administered.</li> <li>Evidence that documents the permissibility of any exceptions to the requirement that all students participate in the same Statewide assessment, such as:             <ul style="list-style-type: none"> <li>Documentation that the State allows LEAs to administer a nationally recognized high school academic assessment in lieu of the State high school assessment in accordance with 34 CFR § 200.3.</li> </ul> </li> </ul>

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<ul style="list-style-type: none"> <li>• Science at least once in each of three grade spans (3-5, 6-9 and 10-12).</li> </ul> <p>AND</p> <p>The State’s <b><u>academic content assessments</u></b> must be the same assessments administered to all students in the tested grades, with the following exceptions:</p> <ul style="list-style-type: none"> <li>• Students with the most significant cognitive disabilities may take an alternate assessment aligned with alternate academic achievement standards.</li> <li>• A State may permit an LEA to administer a nationally recognized high school academic assessment in lieu of the State high school assessment if certain conditions are met.</li> <li>• A State that administers an end-of-course high school mathematics assessment may exempt an 8<sup>th</sup> grade student from the mathematics assessment typically administered in eighth grade and allow the student to take the State end-of-course mathematics test instead.</li> <li>• The Department may have approved the State, under the Innovative Assessment Demonstration Authority, to permit students in some LEAs to participate in a demonstration assessment system in lieu of participating in the State assessment.</li> </ul> <p>The State’s assessment system includes</p>	<ul style="list-style-type: none"> <li>○ Documentation that the State allows 8<sup>th</sup> graders flexibility to participate in the State high school end-of-course mathematics assessments in lieu of its State 8<sup>th</sup> grade mathematics assessment (such as the State’s Consolidated State Plan under ESSA).</li> <li>○ Documentation that the State allows LEAs to participate in an Innovative Assessment Demonstration pilot in lieu of the statewide assessment (e.g., evidence that State has been granted this authority by the Department or through a similar waiver authority).</li> <li>○ Documentation that the State has received a waiver to allow students in grades lower than Grade 8 to also complete mathematics, reading/language arts, or science end-of-course tests in lieu of its State grade-level assessments.</li> </ul> <p>If a State has <b><u>end-of-course high school academic</u></b> assessments under ESEA section 1111(b)(2)(B)(v)(I)(bb) or (II)(cc), the State must provide clear evidence that:</p> <ul style="list-style-type: none"> <li>• There is <u>one high school test</u> in <u>each required subject</u> in which <u>all students must participate</u>, OR</li> <li>• There is <u>a sequence of high school tests</u> in a subject in which <u>all students must participate</u>.</li> </ul>
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<p>an <b><i>annual general and alternate ELP assessment</i></b> (aligned with State ELP standards) administered to:</p> <ul style="list-style-type: none"> <li>All ELs in grades K-12.</li> </ul>	
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**Critical Element 1.4 – Policies for Including All Students in Assessments**

	<b>Examples of Evidence</b>
<p>The State requires the inclusion of all public elementary and secondary school students in its assessment system and clearly and consistently communicates this requirement to districts and schools.</p> <ul style="list-style-type: none"> <li>For students with disabilities, policies state that all students with disabilities in the State, including those children with disabilities publicly placed in private schools as a means of providing special education and related services, must be included in the assessment system;</li> <li>For ELs:                             <ul style="list-style-type: none"> <li>Policies state that all ELs must be included in all aspects of the content assessment system, unless the State has chosen the statutory option for recently arrived ELs under which such ELs are exempt from one administration of its reading/ language arts assessment.</li> <li>If a State has developed native language assessments for ELs in R/LA, ELs must be assessed in R/LA in English if they have been enrolled in U.S. schools for three or more consecutive years, except, if a district determines,</li> </ul> </li> </ul>	<p>Evidence to support this critical element for the State’s assessment system includes documents such as:</p> <ul style="list-style-type: none"> <li>Key documents, such as regulations, policies, procedures, test coordinator manuals, test administrator manuals and accommodations manuals that the State disseminates to educators (districts, schools and teachers) that clearly state that all students must be included in the State’s assessment system and that a district may not exclude any student group or subset of a student group; <b><i>and that all ELs must be included in the State’s content assessments (with the exception of one year for the R/LA assessment for recently arrived ELs, in States that adopted the exception described in the left column); and that all ELs must be included in the State’s ELP assessment system and that a district may not exclude any ELs.</i></b></li> <li>For students with disabilities, if needed to supplement the above:                             <ul style="list-style-type: none"> <li>Instructions for IEP teams and/or other key documents;</li> <li>Documents explicitly outlining requirements for making decisions about which assessments, <b><i>including the ELP assessment</i></b>, EL students with the most significant cognitive disabilities should participate in.</li> </ul> </li> <li>For ELs, if applicable and needed to supplement the above:                             <ul style="list-style-type: none"> <li>Test administrator manuals and/or other key documents that show that the State provides a native language (e.g., Spanish, Vietnamese) version of its assessments.</li> </ul> </li> </ul>

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<p>on a case-by-case basis, that native language assessments would yield more accurate and reliable information, the district may assess a student with native language assessments for a period not to exceed two additional consecutive years.</p> <ul style="list-style-type: none"> <li>○ Policies require the inclusion of <i>all public elementary and secondary ELs in the State’s ELP assessment</i>, including ELs with disabilities.</li> <li>○ If the State uses the flexibility for Native American language schools and programs: (1) the State provides the content assessment in the Native American language to all students in the school or program; (2) the State submits such content assessment for peer review as part of its State assessment system; and (3) the State continues to provide ELP assessments and services for ELs as required by law. The State must assess in English the students’ achievement in R/LA in high school.</li> </ul>	
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**Critical Element 1.5 – Meaningful Consultation in the Development of Challenging State Standards and Assessments**

	<b>Examples of Evidence</b>
<p>If the State has developed or amended challenging <b>academic</b> and <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> <li>• State leaders, including the Governor,</li> </ul>	<p>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).</p> <p>Evidence to support this critical element for the State’s challenging <b>academic</b> content and <i>ELP</i> standards and assessments includes:</p> <ul style="list-style-type: none"> <li>• Minutes of meetings, press releases, or other public documents which describe consultations of the State with</li> </ul>


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<p>members of the State legislature and State board of education (if the State has a State board of education).</p> <ul style="list-style-type: none"> <li>• Local educational agencies (including those located in rural areas).</li> <li>• Representatives of Indian tribes located in the State.</li> <li>• Teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents.</li> </ul>	<p>State leaders, such as the Governor, State legislature, and State Board of Education regarding: (1) the State’s academic content standards and assessments; and (2) the State’s ELP standards and assessments.</p> <ul style="list-style-type: none"> <li>• Summary report of substantive involvement and input of educators, such as (1) committees of teachers and other educators in the development of the State’s academic content standards and (2) summary report of substantive involvement and input of educators, such as EL specialists, committees of curriculum, instruction, and content specialists, teachers of ELs and others, in the development/review of the State’s ELP standards.</li> <li>• Evidence of public procurement procedures that involve consultation with executive and legislative authority and oversight (e.g., State controlling boards).</li> <li>• Descriptions that demonstrate a broad range of stakeholders was involved in the development of the State’s challenging <b><u>academic</u></b> content and <b><i>ELP</i></b> standards, including individuals representing groups such as students with disabilities, ELs and other student populations in the State; parents; Tribes, and the business community;</li> <li>• Documentation of public hearings, public comment periods, public review, or other activities that show broad stakeholder involvement in the development or adoption of the <b><u>academic</u></b> content and <b><i>ELP</i></b> standards.</li> <li>• Documentation of membership and participation in any State <b><u>academic</u></b> content and <b><i>ELP</i></b> advisory or development committees that includes information representing participation of any of the groups listed for this element. (e.g., State assessment item development committees, achievement standard setting committees, standard advisory committees, etc.).</li> <li>• Documentation of any public outreach efforts regarding the <b><u>academic</u></b> content or <b><i>ELP</i></b> standards and assessments (e.g., community discussions, feedback websites, town hall meetings, and other events that include parents, teachers, Tribes, and other interest groups).</li> </ul>
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**SECTION 2: ASSESSMENT SYSTEM OPERATIONS**

**Critical Element 2.1 – Test Design and Development**

	<b>Examples of Evidence</b>
<p>The State’s test design and test development process is well-suited for the content, is technically sound, aligns the assessments to (1) <b><u>the depth and breadth of the State’s academic content standards</u></b> for the grade that is being assessed; or (2) <i>the depth and breadth of the State’s ELP standards</i>, and includes:</p> <ul style="list-style-type: none"> <li>• Statement(s) of the purposes of the assessments and the intended interpretations and uses of results;</li> <li>• 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 (1) <b><u>the State’s grade-level academic content standards</u></b> or (2) <i>the State’s ELP standards</i>, and support the intended interpretations and uses of the results.</li> <li>• Processes to ensure that each academic assessment is tailored to the knowledge and skills included in <b><u>the State’s academic content standards</u></b>, reflects appropriate inclusion of challenging content, and requires complex demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills).</li> <li>• 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</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <p>For the State’s general <b><u>academic</u></b> content and <i>ELP</i> assessments:</p> <ul style="list-style-type: none"> <li>• Relevant sections of State code or regulations, language from contract(s) for the State’s academic and ELP assessments, test coordinator or test administrator manuals, or other relevant documentation that states the purposes of these assessments and the intended interpretations and uses of results;</li> <li>• Test blueprints that:             <ul style="list-style-type: none"> <li>○ Describe the structure of each <b><u>academic content</u></b> and <i>ELP</i> assessment in sufficient detail to support the development of a technically sound assessment, for example, in terms of the number of items, item types, the proportion of item types, response formats, range of item difficulties, types of scoring procedures, and applicable time limits;</li> <li>○ Align to either: (1) the depth and breadth of the State’s <b><u>grade-level academic content standards</u></b> in terms of balance of content (i.e., knowledge, cognitive process, cognitive complexity); or (2) <i>the State’s grade-level (or grade-band) ELP standards</i> in terms of content (i.e., knowledge and linguistic process), the depth and breadth of the State’s grade-level/grade-band standards and balance of content; and documentation that the test design is tailored to the specific knowledge and linguistic skills in the State’s ELP standards, and reflects academic language complexity appropriate for each grade-level/grade-band;</li> </ul> </li> <li>• Documentation that the test design that is tailored to the specific knowledge and skills in: (1) <b><u>the State’s academic content standards</u></b> (e.g., includes extended response items that require demonstration of writing skills if the State’s reading/language arts academic content standards include writing) or (2) <i>the State’s ELP standards</i> (e.g., includes speaking, listening, reading, and writing skills and tasks found in the standards);</li> <li>• Documentation of the approaches the State uses to include challenging content and complex demonstrations or applications of knowledge and skills (i.e., items that assess higher-order thinking skills, such as item types appropriate to the content that require synthesizing and evaluating information and analytical text-based writing or multiple steps and student explanations of their work); for example, this could include test specifications or test blueprints that require a certain portion of the total score be based on item types that require complex demonstrations or applications of knowledge and skills and the rationale for that design.</li> </ul> <p> For the State’s technology-based general assessments, in addition to the above:</p> <ul style="list-style-type: none"> <li>• Evidence of the usability of the technology-based presentation of the assessments, including the usability of accessibility tools and features (e.g., embedded in test items or available as an accompaniment to the items), such as descriptions of conformance with established accessibility standards and best practices and usability studies;</li> </ul>

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<p>appropriate inclusion of the range of complexity found in the standards.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• If the State administers a computer-adaptive assessment, it makes proficiency determinations with respect to the grade in which the student is enrolled and uses that determination for all reporting.</li> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• For computer-adaptive general academic content and ELP assessments:             <ul style="list-style-type: none"> <li>○ Evidence regarding the item pool, including:                 <ul style="list-style-type: none"> <li>▪ Evidence regarding the size of the item pool and the characteristics (non-statistical [e.g., content] and statistical) of the items it contains that demonstrates that the item pool has the capacity to produce test forms that adequately reflect the State’s test blueprints in terms of:                     <ul style="list-style-type: none"> <li>- Depth and breadth of: (1) <b><u>the State’s academic content standards</u></b>, balance of content, cognitive complexity for each academic content standard, and range of item difficulty levels for each academic content standard; or (2) <i>the State’s ELP standards</i> and balance of content, and range of item difficulty levels for each ELP standard;</li> <li>- Structure of the assessment (e.g., numbers of items, proportion of item types and response types).</li> </ul> </li> </ul> </li> <li>○ Technical documentation for item selection procedures that includes descriptive evidence and empirical evidence (e.g., simulation results that reflect variables such as a wide range of student behaviors and abilities and test administration early and late in the testing window) that show that the item selection procedures are designed adequately for:                 <ul style="list-style-type: none"> <li>▪ Content considerations to ensure test forms that adequately reflect (1) <b><u>the State’s academic content standards</u></b> in terms of the depth and breadth of the State’s grade-level academic content standards, balance of content, and the cognitive complexity for each standard tested; or (2) <i>the State’s ELP standards</i> in terms of the depth and breadth of the State’s grade-level or grade-banded ELP standards, and balance of content for each standard tested;</li> <li>▪ Structure of the assessment specified by the blueprints;</li> <li>▪ Reliability considerations such that the test forms produce adequately precise estimates of student achievement for (1) <b><u>all students</u></b> (e.g., for students with consistent and inconsistent testing behaviors, high- and low-achieving students; ELs and students with disabilities) on the academic assessments or (2) <i>all EL students</i> (e.g., for students with consistent and inconsistent testing behaviors, students with high and low achievement in English, sub-groups of ELs, including ELs with disabilities);</li> <li>▪ Routing students appropriately to the next item or stage;</li> <li>▪ Other operational considerations, including starting rules (i.e., selection of first item), stopping rules, and rules to limit item over-exposure.</li> </ul> </li> </ul> </li> </ul> <p><b><u>AA-AAAS/AELPA.</u></b> For the State’s AA-AAAS and AELPA:</p> <ul style="list-style-type: none"> <li>• Relevant sections of State code or regulations, language from contract(s) for the State’s assessments, test coordinator or test administrator manuals, or other relevant documentation that states the purposes of the assessments and the intended interpretations and uses of results for students tested;</li> <li>• Description of the structure of the assessment, for example, in terms of the number of items, item types, the proportion of item types, response formats, types of scoring procedures, and applicable time limits. For an assessment that is partially administered through portfolios or includes extended performance tasks, the description should include the purpose and design of the portfolio or performance tasks, exemplars, artifacts, and scoring rubrics;</li> <li>• Test blueprints that (1) <b><u>reflect content linked to the State’s grade-level academic content standards and</u></b></li> </ul>
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	<p><b><u>the intended breadth and cognitive complexity of the AA-AAAS</u></b>; or (2) <i>reflect content linked to the State’s ELP grade level standards and the intended breadth and language complexity of the AELPA.</i></p> <ul style="list-style-type: none"> <li>• To the extent the assessments are designed to cover a narrower range of content than the State’s general academic and ELP assessments and differ in cognitive complexity (AA-AAAS) or language complexity (AELPA):             <ul style="list-style-type: none"> <li>○ Description of the breadth of (1) <b><u>the grade-level academic content standards</u></b> the assessments are designed to measure, such as an evidence-based rationale for the reduced breadth within each grade and/or comparison of intended content compared to grade-level academic content standards; or (2) <i>the grade level ELP standards</i> the assessments are designed to measure, such as an evidence-based rationale for the reduced language complexity within each grade;</li> <li>○ Description of the strategies the State used to ensure that (1) <b><u>the cognitive complexity of the AA-AAAS</u></b> is appropriately challenging for students with the most significant cognitive disabilities; or (2) <i>the language complexity of the AELPA</i> is appropriately challenging for ELs who are students with the most significant cognitive disabilities;</li> <li>○ Description of how linkage to different content across grades/grade spans and (1) <b><u>vertical articulation of academic expectations</u></b> for students is maintained; or (2) <i>vertical articulation of ELP expectations</i> for EL students is maintained.</li> </ul> </li> <li>• If the State developed (1) <b><u>extended academic content standards</u></b> to support the alignment between the State’s grade-level academic content standards and the content of the assessments, documentation of their use in the design of the assessments; or (2) <i>extended ELP standards</i> to support the alignment between the State’s grade-level/grade-band standards and the content of the assessments, documentation of their use in the design of the assessments;</li> <li>• For adaptive alternate assessments (both computer-delivered and human-delivered), evidence, such as a technical report for the assessments, showing:             <ul style="list-style-type: none"> <li>○ Evidence that the size of the item pool and the characteristics of the items it contains are appropriate for the test design;</li> <li>○ Evidence that rules in place for routing students are designed to produce test forms that adequately reflect the blueprints and produce adequately precise estimates of student achievement for classifying students;</li> <li>○ Evidence that the rules for routing students, including starting (e.g., selection of first item) and stopping rules, are appropriate and based on adequately precise estimates of student responses;</li> </ul> </li> <li>• For technology-based AA-AAAS and AELPA, in addition to the above, evidence of the usability of the technology-based presentation of the assessments, including the usability of accessibility tools and features (e.g., embedded in test items or available as an accompaniment to the items), such as descriptions of conformance with established accessibility standards and best practices and usability studies.</li> </ul>
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**Critical Element 2.2 – Item Development**

	<b>Examples of Evidence</b>
<p>The State uses reasonable and technically sound procedures to develop and select items to:</p> <ul style="list-style-type: none"> <li>Assess student achievement based on the <b><u>State’s academic content standards</u></b> in terms of content and cognitive process, including higher-order thinking skills.</li> <li>Assess student English language proficiency based on the <i>State’s ELP standards</i> in terms of content and language processes.</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <p>For the State’s general academic content and ELP assessments, evidence, such as a section in the technical report for the assessments, that shows:</p> <ul style="list-style-type: none"> <li>A description of the process the State uses to ensure that the item types (e.g., multiple choice, constructed response, performance tasks, and technology-enhanced items) are tailored for assessing (1) <b><u>the academic content standards</u></b>; or (2) <i>the ELP standards</i>;</li> <li>A description of the process the State uses to ensure that items are tailored for (1) <b><u>assessing the academic content standards in terms of cognitive process</u></b> (e.g., assessing complex demonstrations of knowledge and skills appropriate to the content, such as with item types that require synthesizing and evaluating information and analytical text-based writing or multiple steps and student explanations of their work); or (2) <b><i>assessing the ELP standards</i></b> in terms of language demand and linguistic processes (e.g., assessing demonstration of language proficiency appropriate to the language demands inherent in the State’s academic content standards in reading/language arts, math, and science; and consistent with a theoretically sound and/or research-supported model of English language acquisition);</li> <li>Samples of item specifications that detail the (1) <b><u>academic content standards</u></b> to be tested; or (2) <i>the ELP standards</i> to be tested, item type, intended cognitive complexity for content standards (or linguistic complexity for ELP assessment), intended level of difficulty, accessibility tools and features, and response format;</li> <li>Description or examples of instructions provided to item writers and reviewers;</li> <li>Documentation that (1) <b><u>for academic assessments</u></b>, items are developed by individuals with content area expertise, experience as educators, and experience and expertise with students with disabilities, ELs, and other student populations in the State; or (2) <b><i>for ELP assessments</i></b>, items are developed by individuals with expertise in the development of English language proficiency, experience as educators of ELs, and experience and expertise with ELs who are students with disabilities as well as with ELs from a variety of sub-populations in the State (e.g., ELs who speak a variety of home languages, or who have attained varying levels of literacy and proficiency in their home languages, those who are or are not recent immigrants, and those who receive instruction in English only, versus a combination of English and home language).</li> <li>Documentation of procedures to review items for alignment to: (1) <b><u>academic content standards</u></b>, intended levels of cognitive complexity, intended levels of difficulty, construct-irrelevant variance, and consistency with item specifications, such as documentation of content and bias reviews by an external review committee; or (2) <b><i>ELP standards</i></b>, intended levels of linguistic complexity, intended levels of difficulty, lack of construct irrelevant variance, and consistency with item specifications, such as documentation of content and bias reviews by an external review committee.</li> <li>Description of procedures to evaluate the quality of items and select items for operational use, including evidence of reviews of pilot and field test data;</li> <li>As applicable, evidence that accessibility tools and features (e.g., embedded in test items or available as an</li> </ul>

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	<p>accompaniment to the items) do not produce an inadvertent effect on the construct assessed;</p> <ul style="list-style-type: none"> <li>Evidence that the items elicit the intended response processes, such as cognitive labs or interaction studies (e.g., for ELP assessments, studies which include a targeted sample of ELs, such as students who speak different home languages, and those who have attained a range of proficiency in the home language).</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, in addition to the above:</p> <ul style="list-style-type: none"> <li>If the State’s AA-AAAS or AELPA partially includes extended performance tasks, samples of item specifications that include documentation of the requirements for student work and samples of exemplars for illustrating levels of student performance;</li> <li>Documentation of the process the State uses to ensure that the assessment items are accessible, <b><u>cognitively challenging and reflect professional judgment of the highest achievement standards possible (for AA-AAAS) or linguistically challenging (for ELP assessments)</u></b>.</li> </ul> <p> For the State’s technology-based general assessments:</p> <ul style="list-style-type: none"> <li>Documentation that procedures to evaluate and select items considered the deliverability of the items (e.g., usability studies).</li> <li>For technology-enhanced items, evidence that item development considers scoring procedures across multiple test administration scenarios.</li> </ul> <p>Note: This critical element is closely related to Critical Element 4.2 – Fairness and Accessibility.</p>
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**Critical Element 2.3 – Test Administration**

	Examples of Evidence
<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> <li>Has established and communicates to educators clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations;</li> <li>Has established procedures to ensure that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>Regarding test administration:                             <ul style="list-style-type: none"> <li>Test coordinator manuals, test administration manuals, accommodations manuals and/or other key documents that the State provides to districts, schools, and teachers that address standardized test administration and any accessibility tools and features available for the assessments;</li> <li>Instructions for the use of accommodations allowed by the State that address each accommodation. For example:                                     <ul style="list-style-type: none"> <li>For accommodations such as bilingual dictionaries for ELs, instructions that indicate which types of bilingual dictionaries are and are not acceptable and how to acquire them for student use during the assessment;</li> <li>For accommodations such as readers and scribes for students with disabilities, documentation of expectations for training and test security regarding test administration;</li> </ul> </li> </ul> </li> </ul>

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<p>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;</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>▪ For accommodations allowing translation of directions, documentation of expectations for training and test security.</li> <li>○ Evidence that the State provides key documents regarding test administration to district and school test coordinators and administrators, such as e-mails, websites, or listserv messages to inform relevant staff of the availability of documents for downloading or cover memos that accompany hard copies of the materials delivered to districts and schools;</li> <li>○ Evidence of the State’s process for documenting modifications or disruptions of standardized test administration procedures (e.g., unapproved non-standard accommodations, electric power failures or hardware failures during technology-based testing), such as sample of incidences documented during the most recent year of test administration in the State.</li> </ul> <ul style="list-style-type: none"> <li>• Regarding training for test administration:             <ul style="list-style-type: none"> <li>○ Schedules for training sessions for different groups of individuals involved in test administration (e.g., district and school test coordinators, test administrators, school computer lab staff, accommodation providers);</li> <li>○ Training materials, such as agendas, slide presentations and school test coordinator manuals and test administrator manuals, provided to participants. For technology-based assessments, training materials that include resources such as practice tests and/or other supports to ensure that test coordinators, test administrators and others involved in test administration are prepared to administer the assessments;</li> <li>○ Documentation of the State’s procedures to ensure that all test coordinators, test administrators, and other individuals involved in test administration receive training for each test administration, such as forms for sign-in sheets or screenshots of electronic forms for tracking attendance, assurance forms, or identification of individuals responsible for tracking attendance.</li> <li>○ If oral translators are used, training materials such as agendas, slide presentations, rubrics and exemplars to ensure that staff involved in human translation of tests are prepared to do so with fidelity.</li> <li>○ For test items scored by examiners (e.g., speaking items), training materials that include agendas, training presentations, and evidence of opportunities for scorer practice, including rubrics, exemplars, and practice item response sets to ensure that staff involved in scoring these items are prepared to do so with fidelity.</li> </ul> </li> </ul> <p> For the State’s technology-based assessments:</p> <ul style="list-style-type: none"> <li>• Evidence that the State has clearly defined the technology (e.g., hardware, software, internet connectivity, and internet access) and other related requirements (e.g., computer lab configurations) necessary for schools to administer the assessments and has communicated these requirements to schools and districts;</li> <li>• District and school test coordinator manuals, test administrator manuals and/or other key documents that include specific instructions for administering technology-based assessments (e.g., regarding necessary advanced preparation, ensuring that test administrators and students are adequately familiar with the delivery devices and, as applicable, accessibility tools and features available for students);</li> <li>• Contingency plans or summaries of contingency plans that outline strategies for managing possible technology</li> </ul>
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	<p>challenges or disruptions during test administration.</p> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, in addition to the above:</p> <ul style="list-style-type: none"> <li>• If the assessments involve teacher-administered performance tasks or are partially administered through portfolios, key documents, such as test administration manuals, that the State provides to districts, schools and teachers that include clear, precise descriptions of activities, standard prompts, exemplars and scoring rubrics, as applicable; and standard procedures for the administration of the assessments that address features such as determining entry points, selection and use of manipulatives, prompts, scaffolding, and recognizing and recording responses;</li> <li>• Evidence that training for test administrators addresses key assessment features, such as teacher-administered performance tasks or portfolios; determining entry points; selection and use of manipulatives; prompts; scaffolding; recognizing and recording responses; and/or other features for which specific instructions may be needed to ensure standardized administration of the assessment.</li> </ul>
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**Critical Element 2.4 – Monitoring Test Administration**


	<b>Examples of Evidence</b>
<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 academic assessments, the general ELP assessments, the AA-AAAS and the AELPA.</p>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>• Brief description of the State’s approach to monitoring test administration (e.g., monitoring conducted by State staff, through regional centers, by districts with support from the State, or another approach);</li> <li>• Existing written documentation of the State’s procedures for monitoring test administration across the State, including, for example, strategies for selection of districts and schools for monitoring, cycle for reaching schools and districts across the State, training on monitoring, observation forms, schedule for monitoring, monitors’ roles, and the responsibilities of key personnel;</li> <li>• Documentation that the administration of all State assessments (e.g., the general academic assessments, the general ELP assessments, the AA-AAAS, and the AELPA) is monitored to some degree.</li> <li>• Summary of the results, and follow up of the results, of the State’s monitoring in recent years of test administration in the State.</li> <li>• Procedures for collecting data from technology-based assessments to monitor fidelity of test administration.</li> </ul>

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**Critical Element 2.5 – Test Security**

	<b>Examples of Evidence</b>
<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"> <li>• 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;</li> <li>• Detection of test irregularities;</li> <li>• Remediation following any test security incidents involving any of the State’s assessments;</li> <li>• Investigation of alleged or factual test irregularities.</li> <li>• Application of test security procedures to all assessments in the State system: the general academic assessments, the general ELP assessments, the AA-AAAS, and the AELPA.</li> </ul>	<p>Collectively, evidence to support this critical element for all of the State’s assessments must demonstrate that the State has implemented and documented an appropriate approach to test security.</p> <p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• State Test Security Handbook;</li> <li>• Summary results or reports of internal or independent monitoring, audit, or evaluation of the State’s test security policies, procedures and practices, if any.</li> <li>• State security plan, or excerpts from the State’s assessment contracts or other materials that show expectations, rules and procedures for reducing security threats and risks and protecting test materials during item development, test construction, materials production, distribution, and test administration.</li> <li>• Description of security features for storage of test materials (i.e., items, tests, student response documents, features related to the secure test administration technology system, if applicable);</li> </ul> <p>Evidence of procedures for prevention of test irregularities includes documents such as:</p> <ul style="list-style-type: none"> <li>• Key documents, such as test coordinator manuals or test administration manuals for district and school staff, that include detailed security procedures for before, during, and after test administration;</li> <li>• Documented procedures for tracking the chain of custody of secure materials and for maintaining the security of test materials at all stages, including distribution, storage, administration, and transfer of data;</li> <li>• Documented procedures for mitigating the likelihood of unauthorized communication, assistance, or recording of test materials (e.g., via technology such as smart phones);</li> <li>• Specific test security instructions for accommodations providers (e.g., readers, sign language interpreters, special education teachers and support staff if the assessment is administered individually), as applicable;</li> <li>• Documentation of established consequences for confirmed violations of test security, such as State law, State regulations or State Board-approved policies;</li> <li>• Key documents such as policy memos, listserv messages, test coordinator manuals and test administration manuals that document that the State communicates its test security policies, including consequences for violation, to all individuals involved in test administration;</li> <li>• Newsletters, listserv messages, test coordinator manuals, test administrator manuals and/or other key documents from the State that clearly state that annual test security training is required at the district and school levels for all staff involved in test administration;</li> <li>• Evidence submitted under Critical Element 2.3 – Test Administration that shows:             <ul style="list-style-type: none"> <li>○ The State’s test administration training covers the relevant aspects of the State’s test security policies;</li> <li>○ Procedures for ensuring that all individuals involved in test administration receive annual test security training.</li> </ul> </li> <li>• Documentation that all State assessments (e.g., the general academic assessments, the general ELP assessments, the AA-AAAS, and the AELPA) are addressed with regard to test security in State policies and procedures.</li> </ul>

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	<p> For the State’s technology-based assessments, evidence of procedures for prevention of test irregularities includes:</p> <ul style="list-style-type: none"> <li>• Documented policies and procedures for districts and schools to address secure test administration challenges related to hardware, software, internet connectivity, and internet access.</li> </ul> <p>Evidence of procedures for detection of test irregularities includes documents such as:</p> <ul style="list-style-type: none"> <li>• Documented incident-reporting procedures, such as a template and instructions for reporting test administration irregularities and security incidents for district, school and other personnel involved in test administration;</li> <li>• Documentation of the information the State routinely collects and analyzes for test security purposes, such as description of post-administration data forensics analysis the State conducts (e.g., unusual score gains or losses, similarity analyses, erasure/answer change analyses, pattern analysis, person fit analyses, local outlier detection, unusual timing patterns);</li> <li>• Summary of test security incidents from most recent year of test administration (e.g., types of incidents and frequency) and examples of how they were addressed, or other documentation that demonstrates that the State identifies, tracks, and resolves test irregularities.</li> </ul> <p>Evidence of procedures for remediation of test irregularities includes documents such as:</p> <ul style="list-style-type: none"> <li>• Contingency plan that demonstrates that the State has a plan for how to respond to test security incidents and that addresses:             <ul style="list-style-type: none"> <li>○ Different types of possible test security incidents (e.g., human, physical, electronic, or internet-related), including those that require immediate action (e.g., items exposed on-line during the testing window);</li> <li>○ Policies and procedures the State would use to address different types of test security incidents (e.g., continue vs. stop testing, retesting, replacing existing forms or items, excluding items from scoring, invalidating results);</li> <li>○ Communication strategies for communicating with districts, schools and others, as appropriate, for addressing active events.</li> </ul> </li> </ul> <p>Evidence of procedures for investigation of alleged or factual test irregularities includes documents such as:</p> <ul style="list-style-type: none"> <li>• State’s policies and procedures for responding to reported irregularities and investigating, where appropriate, alleged or actual security lapses and test irregularities that:             <ul style="list-style-type: none"> <li>○ Include securing evidence in cases where an investigation may be pursued;</li> <li>○ Include the State’s decision rules for investigating potential test irregularities;</li> <li>○ Provide standard procedures and strategies for conducting investigations, including guidelines to districts, if applicable;</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"><li>○ Include policies and procedures to protect the privacy and professional reputation of all parties involved in an investigation.</li></ul> <p>Note: Evidence should be redacted to protect personally identifiable information, as appropriate.</p>
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**Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy**

	<b>Examples of Evidence</b>
<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"> <li>• To protect the integrity of its test-related data in test administration, scoring, storage and use of results;</li> <li>• To secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools;</li> <li>• 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.</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>• Evidence of policies and procedures to protect the integrity and confidentiality of test materials and test-related data, such as:               <ul style="list-style-type: none"> <li>○ State security plan, or excerpts from the State’s assessment contracts or other materials that show expectations, rules and procedures for reducing security threats and risks and protecting test response data and related materials during test administration, scoring and reporting;</li> <li>○ Description of security features for storage of test response materials and related data (i.e., items, tests, student responses, and results);</li> <li>○ Rules and procedures for secure transfer of student-level assessment data in and out of the State’s data management and reporting systems; between authorized users (e.g., State, district and school personnel, and vendors); and at the local level (e.g., requirements for use of secure sites for accessing data, directions regarding the transfer of student data);</li> <li>○ Policies and procedures for allowing only secure, authorized access to the State’s student-level data files for the State, districts, schools, and others, as applicable (e.g., assessment consortia, vendors);</li> <li>○ Training requirements and materials for State staff, contractors and vendors, and others related to data integrity and appropriate handling of personally identifiable information;</li> <li>○ Policies and procedures to ensure that aggregate or de-identified data intended for public release do not inadvertently disclose any personally identifiable information;</li> <li>○ Documentation that the above policies and procedures, as applicable, are clearly communicated to all relevant personnel (e.g., State staff, assessment, districts, and schools, assessment consortia, vendors and others, as applicable);</li> <li>○ Rules and procedures for ensuring that data released by third parties (e.g., agency partners, vendors, external researchers) are reviewed for adherence to State Statistical Disclosure Limitation (SDL) standards and do not reveal personally identifiable information.</li> </ul> </li> <li>• Evidence of policies and procedures to protect personally identifiable information about any individual student in reporting, such as:               <ul style="list-style-type: none"> <li>○ State operations manual or other documentation that clearly states the State’s SDL rules for determining whether data are reported for a group of students or a student group, including:                   <ul style="list-style-type: none"> <li>▪ Defining the minimum number of students necessary to allow reporting of scores for a student group;</li> <li>▪ Rules for applying complementary suppression (or other SDL methods) when one or more student groups are not reported because they fall below the minimum reporting size;</li> <li>▪ Rules for not reporting results, regardless of the size of the student group, when reporting would reveal personally identifiable information (e.g., procedures for reporting “&lt;10%” for proficient and above when no student scored at those levels);</li> <li>▪ Other rules to ensure that aggregate or de-identified data do not inadvertently disclose any personally</li> </ul> </li> </ul> </li> </ul>

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	<p>identifiable information;</p> <ul style="list-style-type: none"> <li>○ State operations manual or other document that describes how the State’s rules for protecting personally identifiable information are implemented.</li> </ul>
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### SECTION 3: TECHNICAL QUALITY – VALIDITY

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

	Examples of 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><b><u>The State’s academic assessments</u></b> measure the knowledge and skills specified in the State’s academic content standards, including:</p> <ul style="list-style-type: none"> <li>• Documentation of adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content (i.e., knowledge and process), , balance of content, and cognitive complexity;</li> <li>• Documentation that the assessments address the depth and breadth of the content standards;</li> <li>• If the State has adopted alternate academic achievement standards and administers alternate assessments aligned with those standards, the assessments show adequate alignment to the State’s academic</li> </ul>	<p>Collectively, across the State’s assessments, evidence to support critical elements 3.1 through 3.4 for the State’s general academic and ELP assessments, AA-AAAS and AELPA must document overall validity evidence generally consistent with expectations of current professional standards.</p> <p>Evidence to document adequate overall validity evidence for the State’s general academic and ELP assessments, AA-AAAS, AELPA includes documents such as:</p> <ul style="list-style-type: none"> <li>• A chapter on validity in the technical report for the State’s assessments that states the purposes of the assessments and intended interpretations and uses of results and shows validity evidence for the assessments that is generally consistent with expectations of current professional standards;</li> <li>• Other validity evidence, in addition to that outlined in critical elements 3.1 through 3.4, that is necessary to document adequate validity evidence for the assessments.</li> </ul> <p>Evidence to document adequate validity based on content for the State’s general assessments includes:</p> <ul style="list-style-type: none"> <li>• Validity evidence based on the assessment content that shows levels of validity generally consistent with expectations of current professional standards, such as:                             <ul style="list-style-type: none"> <li>○ Test blueprints for the overall assessment and/or all domain-specific sub-tests, as submitted under Critical Element 2.1 – Test Design and Development;</li> <li>○ Logical or empirical analyses that show that the test content adequately represents the depth and breadth of the State’s (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i>;</li> <li>○ Report of expert judgment of the relationship between components of the assessment and the State’s (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i>;</li> <li>○ For the <b><u>academic content standards</u></b>, reports of analyses to demonstrate that the State’s assessment of academic content is appropriately related to the specific inferences made from test scores about student proficiency in the State’s academic content standards for all student groups;</li> <li>○ For the <i>ELP assessments</i>, expert review of items showing that the items address language demands of grade level academic content standards.</li> </ul> </li> <li>• Evidence of alignment, including:</li> </ul>

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<p>content standards for the grade in which the student is enrolled in terms of content match (i.e., no unrelated content) and the breadth of content and cognitive complexity determined in test design to be appropriate for students with the most significant cognitive disabilities.</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"> <li>• 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;</li> <li>• 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;</li> <li>• 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 determined in test design is appropriate for ELs who are students with the most significant cognitive disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>○ Report of results of an independent alignment study that is technically sound (i.e., method and process, appropriate units of analysis, clear criteria) and documents adequate alignment, specifically that:             <ul style="list-style-type: none"> <li>▪ Each assessment is aligned to its test blueprint, and each blueprint addresses: (1) <b><u>depth and breadth of the State’s academic content standards</u></b>; or (2) <i>the depth and breadth of the State’s ELP standards</i>;</li> <li>▪ ;</li> <li>▪ The State follows procedures to ensure alignment during test development;</li> </ul> </li> <li>○ Description of a systematic process and timeline the State will implement to address any gaps or weaknesses identified in the alignment studies.</li> </ul> <p> For the State’s computer-adaptive general assessments:</p> <ul style="list-style-type: none"> <li>• Empirical evidence that the size of the item pool and the characteristics (non-statistical (e.g., content) and statistical) of items it contains are appropriate for the test design and adequately reflect the blueprint in terms of:             <ul style="list-style-type: none"> <li>○ (1) addressing the depth and breadth <b><u>of the State’s academic content standards</u></b>; or (2) <i>the depth and breadth of the State’s ELP standards</i>;</li> <li>○ Balance of content;</li> <li>○ (1) <b><u>Cognitive complexity for each academic standard tested</u></b>; or (2) <i>language complexity for each ELP standard tested</i>;</li> <li>○ Range of item difficulty levels for each standard tested;</li> <li>○ Structure of the assessment (e.g., number of items and proportion of item and response types specified by the blueprints);</li> <li>○ Item pool size and composition sufficient to avoid over-exposure of items.</li> </ul> </li> <li>• Results of an alignment study confirming that the test forms generated for individual students are aligned to the State’s (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i> in terms of:             <ul style="list-style-type: none"> <li>○ Addressing (1) the depth and breadth of the <b><u>grade-level academic content standards</u></b>; or (2) the depth and breadth of the <i>ELP grade-level/grade-band standards</i>;</li> <li>○ Balance of content;</li> <li>○ (1) <b><u>Cognitive complexity for each academic standard tested</u></b>; or (2) <i>language complexity for each ELP standard tested</i>;</li> <li>○ Range of item difficulty levels for each standard tested;</li> <li>○ Structure of the assessment (i.e., features specified in Critical Element 2.1 – Test Design and Development, such as number of items and proportion of item and response types specified by the blueprints);</li> </ul> </li> <li>• Empirical analyses that show:             <ul style="list-style-type: none"> <li>○ The actual test forms produce an adequately precise estimate of student achievement;</li> <li>○ Students are appropriately routed to the next item or stage based on their responses to the previous item or stage;</li> <li>○ Response data adequately fit the psychometric model selected by the State.</li> </ul> </li> </ul>
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	<p><b>AA-AAAS/AELPA</b>. For the State’s AA-AAAS and AELPA, evidence to document adequate validity based on content includes:</p> <ul style="list-style-type: none"> <li>• Validity evidence that shows levels of validity generally considered adequate by professional judgment regarding such assessments, such as:             <ul style="list-style-type: none"> <li>○ Test blueprints and other evidence submitted under Critical Element 2.1 – Test Design and Development;</li> <li>○ Evidence documenting adequate linkage between the assessments and (1) <b><u>the academic content they are intended to measure</u></b>; or (2) <b><i>the ELP skills they are intended to measure</i></b>;</li> <li>○ Other documentation that shows the State’s assessments measure only the knowledge and skills specified in the State’s (1) <b><u>academic content standards (or extended academic content standards, as applicable)</u></b>; or (2) <b><i>ELP (or extended ELP standards, as applicable)</i></b> for the tested grade-level/grade-bands (i.e., not unrelated content);</li> </ul> </li> <li>• Evidence of alignment, such as:             <ul style="list-style-type: none"> <li>○ Report of results of an independent alignment study that is technically sound and document adequate linkage between each of the State’s assessments and the: (1) <b><u>academic content the assessments are designed to measure</u></b>; or (2) <b><i>English language acquisition skills the assessments are designed to measure</i></b>;</li> <li>○ If the State developed: (1) <b><u>extended academic content standards</u></b> for students with the most significant cognitive disabilities and used these to develop its AA-AAAS, the alignment study should document the linkage between the State’s academic content standards and extended academic content standards as well as adequate linkage between the extended academic content standards and the assessments; or (2) <b><i>extended ELP standards</i></b> for ELs with the most significant cognitive disabilities and used those to develop its AELPA, the alignment study should document the linkage between the State’s ELP standards and extended ELP standards as well as adequate alignment between the extended ELP standards and the AELPA;</li> </ul> </li> <li>• For an adaptive AA-AAAS or AELPA:             <ul style="list-style-type: none"> <li>○ Summary of an analysis to confirm that the item pool adequately represents the test blueprints, such as a crosswalk of the item pool and the test blueprints;</li> <li>○ Results of an alignment study that confirm that the test design, as implemented, produces assessments with adequate linkage to the: (1) <b><u>academic content standards</u></b> or (2) <b><i>ELP standards</i></b> the assessments are designed to measure.</li> </ul> </li> </ul>
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**Critical Element 3.2 – Validity Based on Cognitive Processes/ Linguistic Processes**

	Examples of Evidence
<p>The State has documented adequate validity evidence that its assessments tap: (1) <b><u>the intended cognitive processes</u></b> appropriate for each grade level as represented in the State’s academic</p>	<p>Evidence to support this critical element for the State’s general academic content and ELP assessments includes:</p> <ul style="list-style-type: none"> <li>• Validity evidence based on: (1) <b><u>for academic assessments, cognitive processes</u></b>; or (2) <b><i>for ELP assessments, linguistic processes</i></b>; that show levels of validity generally consistent with expectations of current professional standards, such as:             <ul style="list-style-type: none"> <li>○ Results of cognitive labs exploring student performance on items that show: (1) <b><u>for academic</u></b></li> </ul> </li> </ul>

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<p>content standards; or (2) <i>the intended language processes</i> appropriate for each grade level/grade-band as represented in the State’s ELP standards.</p>	<p><b>assessments</b>, the items require complex demonstrations or applications of knowledge and skills; or (2) <i>for ELP assessments</i>, the items require targeted demonstrations or applications of linguistic knowledge and skills;</p> <ul style="list-style-type: none"> <li>○ Reports of expert judgment of items that show: (1) <b>for academic assessments</b>, the items require complex demonstrations or applications of knowledge and skills; or (2) <i>for ELP assessments</i>, the items require targeted demonstrations or applications of knowledge or skills;</li> <li>○ Empirical evidence that shows the relationships of items intended to require complex demonstrations or applications of knowledge and skills: (1) <b>for academic assessments</b>, other measures that require similar levels of cognitive complexity in the content area (e.g., teacher ratings of student performance, student performance on performance tasks or external assessments of the same knowledge and skills); or (2) <i>for ELP assessments</i>, empirical evidence that shows the relationships of items intended to require complex demonstrations or applications of knowledge and skills to other measures that require similar levels of linguistic proficiency (e.g., teacher ratings of student language proficiency, student performance on performance tasks or external assessments of the same linguistic knowledge and skills).</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● Validity evidence that shows levels of validity generally considered adequate by professional judgment regarding such assessments, such as:             <ul style="list-style-type: none"> <li>○ Results of cognitive labs exploring student performance on items that show the items require demonstrations or applications of knowledge and skills;</li> <li>○ Reports of expert judgment of items that show the items require: (1) <b>for academic assessments</b>, demonstrations or applications of knowledge and skills; or (2) <i>for ELP assessments</i>, demonstrations or applications of language acquisition knowledge and skills;</li> <li>○ Empirical evidence that shows the relationships of items intended to require demonstrations or applications of knowledge and skills to other measures that require: (1) <b>for academic assessments</b>, similar levels of cognitive complexity in the content area (e.g., teacher ratings of student performance, student performance on performance tasks or external assessments of the same knowledge and skills); or (2) <i>for ELP assessments</i>, similar levels of linguistic complexity in the content area (e.g., teacher ratings of student performance, student performance on performance tasks or external assessments of the same knowledge and skills).</li> </ul> </li> </ul>
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**Critical Element 3.3 – Validity Based on Internal Structure**

	<b>Examples of Evidence</b>
<p>The State has documented adequate validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures</p>	<p>Evidence to support this critical element for the State’s general academic and ELP assessments includes:</p> <ul style="list-style-type: none"> <li>● Validity evidence based on the internal structure of the assessments that shows levels of validity generally consistent with expectations of current professional standards, such as:             <ul style="list-style-type: none"> <li>○ Reports of analyses of the internal structure of the assessments (e.g., tables of item correlations) that show</li> </ul> </li> </ul>

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<p>of the State’s (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i> on which the intended interpretations and uses of results are based.</p>	<p>the extent to which the interrelationships among sub-scores are consistent with the State’s: (1) <b><u>academic content standards for relevant student groups</u></b>; or (2) <i>ELP standards for all EL students</i>;</p> <ul style="list-style-type: none"> <li>○ Reports of analyses that show the dimensionality of the assessment is consistent with the structure of the State’s: (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i> and the intended interpretations of results;</li> <li>○ Evidence that ancillary constructs needed for success on the assessments do not provide inappropriate barriers to measuring the achievement of all students, such as evidence from cognitive labs or documentation of item development procedures;</li> <li>○ Reports of differential item functioning (DIF) analyses that show whether particular items (e.g., essays, performance tasks, or items requiring specific knowledge or skills) function differently for relevant student groups (e.g., for ELs, speakers of different home languages);</li> <li>○ <i>For ELP assessments</i>, reports of analyses of the internal structure of any sub-test (e.g., reading, writing, etc.) and the overall ELP assessment (i.e., all sub-tests together) that show the extent to which the interrelationships among sub-scores are consistent with the representation and claims in the State’s ELP standards and/or test specifications; empirical evidence such as studies using exploratory and confirmatory factor analysis, regression analyses, covariance structural models; results of other studies showing an appropriate pattern of association;</li> <li>○ <i>For ELP assessments</i>, reports of analyses that show the State’s chosen approach to computing an overall ELP composite score is defensible and appropriate given the ELP assessment’s structure and intended uses. The approach could be compensatory or conjunctive or a combination, but the State has documented the rationale.</li> <li>○ <i>For ELP assessments</i>, reports of analyses of the validity of any composite score that is not generated or derived from all four required domains/components (speaking, listening, reading and writing) and any weighting of domains/components.</li> <li>○ <i>For ELP assessments</i>, evidence that ancillary constructs needed for success on the assessments do not provide inappropriate barriers to measuring EL’s English proficiency, such as evidence from cognitive labs or documentation of item development and review procedures.</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● Validity evidence that shows levels of validity generally considered adequate by professional judgment regarding such assessments, such as:             <ul style="list-style-type: none"> <li>○ Validity evidence based on the internal structure of the assessments, such as analysis of response patterns for administered items (e.g., student responses indicating no attempts at answering questions or suggesting guessing);</li> <li>○ Reports of analyses of the internal structure of the assessments (e.g., tables of item correlations) that show the extent to which the interrelationships among sub-scores are consistent with the State’s: (1) <b><u>academic or extended academic content standards</u></b> for relevant student groups; or (2) <i>ELP or extended ELP standards</i> for EL students;</li> <li>○ Reports of analyses that show the dimensionality of the assessment is consistent with the structure of the State’s: (1) <b><u>academic or extended academic content standards</u></b>; or (2) <i>ELP or extended ELP standards</i></li> </ul> </li> </ul>
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	and the intended interpretations of results.
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**Critical Element 3.4 – Validity Based on Relations to Other Variables**

	<b>Examples of Evidence</b>
<p>The State has documented adequate validity evidence that the State’s assessment scores are related as expected with other variables.</p>	<p>Evidence to support this critical element for the State’s general academic content and ELP assessments includes validity evidence that shows the State’s assessment scores are related as expected with criterion and other variables for all student groups, such as:</p> <ul style="list-style-type: none"> <li>○ Reports of analyses that demonstrate positive correlations between: (1) <b>academic assessment results</b> and external measures that assess similar constructs, such as NAEP, TIMSS, assessments of the same content area administered by some or all districts in the State, and college-readiness assessments; or (2) <b>ELP assessment results</b> and external measures that assess similar constructs;</li> <li>○ Reports of analyses that demonstrate convergent and divergent relationships between State: (1) <b>academic assessment</b> results and measures other than test scores, such as performance criteria, including college- and career-readiness (e.g., college-enrollment rates; success in related entry-level, college credit-bearing courses; post-secondary employment in jobs that pay living wages); or (2) <b>ELP assessment</b> results and other assessments that measure similar and different constructs, such as academic content assessments in reading/language arts and in other content areas;</li> <li>○ <b>For academic assessments</b>, reports of analyses that demonstrate positive correlations between academic assessment results and other variables, such as academic characteristic of test takers (e.g., average weekly hours spent on homework, number of advanced courses taken);</li> <li>○ <b>For academic assessments</b>, reports of analyses that show stronger positive relationships with measures of the same construct than with measures of different constructs;</li> <li>○ <b>For academic assessments</b>, reports of analyses that show assessment scores at tested grades are positively correlated with teacher judgments of student readiness upon entry in the next grade level.</li> <li>○ <b>For ELP assessments</b>, studies showing that the EL students who are proficient on the ELP assessment have English proficiency that allows them to acquire and demonstrate their achievement of 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.</li> <li>○ <b>For ELP assessments</b>, evidence of coherence between the placement assessment and the summative assessment (e.g., the proficiency level of the student based on the initial identification assessment is coherent with the proficiency level of the summative test).</li> </ul> <p><b>AA-AAAS/AELPA:</b> For the State’s AA-AAAS and the AELPA, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● Validity evidence that shows levels of validity generally considered adequate by professional judgment regarding such assessments, such as:             <ul style="list-style-type: none"> <li>○ Validity evidence based on relationships with other variables, such as analyses that demonstrate positive correlations between assessment results and other variables, for example:</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>▪ Results of analyses between assessment results and variables related to test takers (e.g., instructional time on content aligned with grade-level content standards);</li> <li>▪ Results of analyses that indicate stronger positive relationships with measures of the same construct than with measures of different constructs;</li> <li>▪ <b>For the AA-AAAS</b>, correlations between proficiency on the high-school AA-AAAS and performance in post-secondary education, vocational training or competitive integrated employment;</li> <li>▪ <b>For the AELPA</b>, correlations between assessment results and external measures that demonstrate convergent concepts (e.g., individually administered language assessments);</li> <li>▪ Convergent relationships between assessment results and measures other than test scores, such as teacher ratings, class participation, etc.;</li> <li>▪ <b>For the AELPA</b>, correlations between the AELPA scores at tested grades and teacher judgments of student access levels for participating in the State’s AA-AAAS.</li> </ul>
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**SECTION 4: TECHNICAL QUALITY – OTHER**

**Critical Element 4.1 – Reliability**

	<b>Examples of Evidence</b>
<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"> <li>• Test reliability of the State’s assessments estimated for its student population (<b><i>for ELP assessments, including any domain or component sub-tests, as applicable</i></b>);</li> <li>• Overall and conditional standard</li> </ul>	<p>Collectively, evidence for the State’s general academic assessments, the general ELP assessments, the AA-AAAS and AELPA must document adequate reliability evidence generally consistent with nationally recognized professional and technical testing standards. <b><i>For ELP assessments</i></b>, such evidence should also be provided for any domain or component sub-tests, if applicable.</p> <p>Evidence to support this critical element for the State’s academic content and ELP assessments includes documentation such as:</p> <ul style="list-style-type: none"> <li>• A chapter on reliability in the technical report for the State’s assessments that shows reliability evidence (including state-specific information if assessment is part of a multi-state consortium);</li> <li>• Documentation of reliability evidence generally consistent with expectations of current professional standards, including:             <ul style="list-style-type: none"> <li>○ Results of analyses for alternate-form, test-retest, or internal consistency reliability statistics, as appropriate, for each assessment and for each domain or component sub-test, if applicable;</li> <li>○ Report of standard errors of measurement and conditional standard errors of measurement, for example, in terms of one or more coefficients or IRT-based test information functions at each cut score specified in the State’s: (1) <b><u>academic achievement standards</u></b>; or (2) <b><i>ELP achievement standards</i></b>; these estimates should also be provided for any domain or component sub-tests that have cut scores;</li> <li>○ Results of estimates of decision consistency and accuracy for the categorical decisions (e.g., classification of proficiency levels) based on the results of the assessments.</li> </ul> </li> </ul>

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<p>error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable;</p> <ul style="list-style-type: none"> <li>• Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results;</li> <li>• For computer-adaptive tests, evidence that the assessments produce test forms with adequately precise estimates of: (1) <b>a student’s academic achievement</b>; or (2) <i>an EL’s English proficiency</i>.</li> </ul>	<ul style="list-style-type: none"> <li>○ Information about the impact of the characteristics of any domain or component sub-test scores on the overall decision reliability of the assessment (e.g., conditional standard error of measure by deciles for domain sub-tests).</li> </ul> <p> For the State’s computer-adaptive assessments, evidence that estimates of student achievement are adequately precise includes documentation such as:</p> <ul style="list-style-type: none"> <li>• Summary of empirical analyses showing that the estimates of student: (1) <b>academic achievement</b>; or (2) <i>English proficiency</i> are adequately precise for the intended interpretations and uses of the student’s assessment score;</li> <li>• Summary of analyses that demonstrates that the test forms are adequately precise across all levels of student (1) <b>academic achievement</b>; or (2) <i>English language proficiency</i> in the student population overall and for each student group (e.g., analyses of the test information functions and conditional standard errors of measurement). These analyses should include any domain or component sub-tests, as applicable.</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence that shows levels of reliability generally considered adequate by professional judgment regarding such assessments includes documentation such as:</p> <ul style="list-style-type: none"> <li>• Internal consistency coefficients that show that item scores are related to a student's overall score;</li> <li>• Correlations of item responses to student proficiency level classifications;</li> <li>• Generalizability evidence such as evidence of fidelity of administration;</li> <li>• As appropriate and feasible given the size of the tested population, other reliability evidence as outlined above.</li> </ul>
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**Critical Element 4.2 – Fairness and Accessibility**

	<b>Examples of Evidence</b>
<p><i>For all State academic and ELP assessments</i>, assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition).</p> <p><b><u>For academic content assessments</u></b>, the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis.</p> <p><i>For ELP assessments</i>, the State has taken</p>	<p>Evidence to support this critical element for the State’s general academic content and ELP assessments, AA-AAAS, and AELPA includes:</p> <ul style="list-style-type: none"> <li>• Documentation of steps the State has taken in the design and development of its assessments, such as: <ul style="list-style-type: none"> <li>○ Documentation describing approaches used in the design and development of the State’s assessments (e.g., principles of UDL, language simplification, accessibility tools and features embedded in test items or available as an accompaniment to the items);</li> <li>○ Documentation of the approaches used for developing items;</li> <li>○ Documentation of procedures used for maximizing accessibility of items during the development process, such as guidelines for accessibility and accessibility tools and features included in item specifications;</li> <li>○ Description or examples of instructions provided to item writers and reviewers that address writing accessible items, available accessibility tools and features, and reviewing items for accessibility;</li> <li>○ Documentation of procedures for developing and reviewing items in alternative formats or substitute items and for ensuring these items conform with item specifications;</li> <li>○ Documentation of routine bias and sensitivity training for item writers and reviewers;</li> </ul> </li> </ul>

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<p>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>	<ul style="list-style-type: none"> <li>○ Documentation that for (1) <b>academic assessments</b>, experts in the assessment of students with disabilities, ELs and individuals familiar with the needs of other student populations in the State were involved in item development and review; or (2) <b>ELP assessments</b>, experts in language assessment, and in the assessment of ELs and students with disabilities, including ELs with hearing or vision impairments, were involved in item development and review;</li> <li>○ Descriptions of the processes used to write, review, and evaluate items for bias and sensitivity;</li> <li>○ Description of processes to evaluate items for bias during pilot and field testing;</li> <li>○ Evidence submitted under Critical Elements 2.1 – Test Design and Development and Critical Element 2.2 – Item Development;</li> <li>● Documentation of steps the State has taken in the analysis of its assessments, such as results of empirical analyses (e.g., differential item functioning (DIF) and differential test functioning (DTF) analyses) that identify possible bias or inconsistent interpretations of results across student groups.</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● Documentation of steps the State has taken in the design and development of its assessments, as listed above;</li> <li>● Documentation of steps the State has taken in the analysis of its assessments, for example:             <ul style="list-style-type: none"> <li>○ Results of bias reviews or, when feasible given the size of the tested student population, empirical analyses (e.g., DIF and DTF analyses by disability category);</li> <li>○ Frequency distributions of the tested population by disability category;</li> <li>○ As appropriate, applicable, and feasible given the size of the tested population, other evidence as outlined above.</li> </ul> </li> </ul> <p>Note: This critical element is closely related to Critical Element 2.2 – Item Development.</p>
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**Critical Element 4.3 – Full Performance Continuum**

	Examples of Evidence
<p>The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for (1) <b>academic assessments</b>, including performance for high- and low-achieving students; or (2) <b>for ELP assessments</b>, 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>For the State’s general academic and ELP assessments, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● Description of the distribution of <b>cognitive (for academic assessments)</b> or <b>linguistic (for ELP assessments)</b> complexity and item difficulty indices that demonstrate the items included in each assessment adequately cover the full performance continuum specified in the State’s (1) <b>challenging academic content standards</b>; or (2) <b>ELP standards</b>;</li> <li>● For tests based on Item Response Theory (IRT), analysis of test information functions (TIF) and ability estimates for each assessment and/or sub-test students at different performance levels across the full performance continuum or a pool information function across the full performance continuum;</li> <li>● Table of conditional standard errors of measurement at various points along the score range for the overall assessment and, for <b>ELP assessments, any domain or component sub-tests</b>.</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence to support this critical element includes:</p> <ul style="list-style-type: none"> <li>● A cumulative frequency distribution or histogram of student scores for each grade and subject on the most</li> </ul>

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	<p>recent administration of the State’s assessment;</p> <ul style="list-style-type: none"> <li>• For students at the lowest end of the performance continuum (e.g., pre-symbolic language users or students with no consistent communicative competencies), evidence that the assessment system provides appropriate performance information;</li> <li>• As appropriate, applicable and feasible given the size of the tested population, other evidence as outlined above.</li> </ul>
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**Critical Element 4.4 – Scoring**

	<b>Examples of Evidence</b>
<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:</p> <p>(1) <b>academic achievement standards</b>; or</p> <p>(2) <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</p>	<p>Evidence to support this critical element for the State’s general academic and ELP assessments, AA-AAAS, and AELPA includes:</p> <ul style="list-style-type: none"> <li>• A chapter on scoring in a technical report for the assessments or other documentation that describes scoring procedures, including: <ul style="list-style-type: none"> <li>○ Procedures for constructing scales used for reporting scores and the rationale for these procedures;</li> <li>○ Procedures for combining scores to produce any composite scores that are reported and used, and the rationale for these procedures;</li> <li>○ If the State uses a vertical reporting scale, procedures for linking and equating across grade-spans and/or test forms; and procedures for examining the stability of the vertical scale over time;</li> <li>○ Scale, measurement error, and descriptions of test scores;</li> </ul> </li> <li>• For scoring involving human judgment, including scoring conducted by test administrators, or local and school staff: <ul style="list-style-type: none"> <li>○ Evidence that the scoring of constructed-response items and performance tasks includes adequate procedures and criteria for ensuring and documenting inter-rater reliability (e.g., clear scoring rubrics, adequate training for and qualifying of raters, evaluation of inter-rater reliability, and documentation of quality control procedures);</li> <li>○ Results of inter-rater reliability of scores on constructed-response items and performance tasks;</li> </ul> </li> <li>• For scoring of technology-enhanced items: <ul style="list-style-type: none"> <li>○ Evidence that the scoring procedures are working as intended across multiple test administration scenarios;</li> </ul> </li> <li>• For machine scoring of constructed-response items: <ul style="list-style-type: none"> <li>○ Evidence that the scoring algorithm and procedures are appropriate, such as descriptions of development and calibration, validation procedures, monitoring, and quality control procedures;</li> <li>○ Evidence that machine scoring produces scores that are comparable to those produced by human scorers, such as rater agreement rates for human- and machine-scored samples of responses (e.g., by student</li> </ul> </li> </ul>

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<p>which it is possible to assess the student, and a description of how this will occur.<sup>4</sup></p>	<p>characteristics such as varying <b>academic achievement levels</b> or <i>ELP levels</i> and student groups), systematic audits and rescoring;</p> <ul style="list-style-type: none"> <li>• Documentation that the system produces student results in terms of the State’s academic achievement standards;</li> <li>• Documentation that the State has rules for invalidating test results when necessary (e.g., non-attempt, cheating, unauthorized accommodation or modification) and appropriate procedures for implementing these rules (e.g., operations manual for the State’s assessment and accountability systems, test coordinator manuals and test administrator manuals, or technical reports for the assessments).</li> </ul> <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 domain(s)/component(s) such that there are no appropriate accommodations for the affected domain(s)/component(s), evidence that State uses to describe how it will assess the student’s English language proficiency based on the remaining domain(s)/component(s) in which it is possible to assess the student could include:</p> <ul style="list-style-type: none"> <li>• Documentation that the State has procedures and rules for creating composite scores or making decisions for students who are unable to participate in certain parts of the ELP assessments due to their disability (e.g., a non-verbal EL who, because of an identified disability, cannot take the speaking portion of the assessment);</li> <li>• Documentation for the necessity of excluding items for some students who cannot be assessed on those items, even with accommodations;</li> <li>• Documentation of the rationale for assessment structure for students who cannot be assessed in a particular domain (e.g., hearing or vision impairments).</li> </ul>
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**Critical Element 4.5 – Multiple Assessment Forms**


	Examples of Evidence
<p>If the State administers multiple forms of <b>academic assessments</b> within a content area and grade level, within or across school years, the State ensures that all forms adequately represent the State’s <b>academic content standards</b> and yield consistent score interpretations such that the forms are comparable within and across school years.</p>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• Documentation of technically sound equating procedures and results within an academic year as applicable, such as a section of a technical report for the assessments that provides detailed technical information on the method used to establish linkages and on the accuracy of equating functions;</li> <li>• As applicable, documentation of year-to-year equating procedures and results, such as a section of a technical report for the assessments that provides detailed technical information on the method used to establish linkages and on the accuracy of equating functions.</li> <li>• For computer-adaptive programs, documentation for year-to-year changes in the adaptive item pools and/or adaptive algorithms, such as a section of a technical report providing detailed information on item retirements</li> </ul>

<sup>4</sup> 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](https://www.ecfr.gov/cgi-bin/text-idx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200_16&rgn=div8) )

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<p>OR</p> <p>If the State administers multiple forms of <b><i>ELP assessments</i></b> within or across grade-spans, ELP levels, or school years, the State ensures that all forms adequately represent the State’s <b><i>ELP standards</i></b> and yield consistent score interpretations such that the forms are comparable within and across settings.</p>	<p>and replacements along with technical information on the stability of item pools and/or adaptive algorithms from year-to-year that support comparability of year-to-year results.</p>
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**Critical Element 4.6 – Multiple Versions of an Assessment**

	<b>Examples of Evidence</b>
<p>If the State administers any of its assessments in multiple versions within a subject area (e.g., online versus paper-based delivery; <b><u>or a native language version of the academic content assessment</u></b>), grade level, or school year, the State:</p> <ul style="list-style-type: none"> <li>• Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments;</li> <li>• Documented adequate evidence of comparability of the meaning and interpretations of the assessment results.</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <p>For the State’s general academic and ELP assessments:</p> <ul style="list-style-type: none"> <li>• Documentation that the State followed a design and development process to support comparable interpretations of results across different versions of the assessments (e.g., technology-based and paper-based assessments, assessments in English and native language(s);             <ul style="list-style-type: none"> <li>○ For a native language assessment, this may include a description of the State’s procedures for translation or trans-adaptation of the assessment or a report of analysis of results of back-translation of a translated test;</li> <li>○ For technology-based and paper-based assessments, this may include demonstration that the provision of paper-based substitutes for technology-enabled items elicits comparable response processes and produces an adequately aligned assessment;</li> </ul> </li> <li>• Report of results of a comparability study of different versions of the assessments that is technically sound and documents evidence of comparability generally consistent with expectations of current professional standards.</li> </ul> <p> If the State administers technology-based assessments that are delivered by different types of devices (e.g., desktop computers, laptops, tablets), evidence includes:</p> <ul style="list-style-type: none"> <li>• Documentation that test-administration hardware and software (e.g., screen resolution, interface, input devices) are standardized across unaccommodated administrations; or</li> <li>• Either:             <ul style="list-style-type: none"> <li>○ Reports of research (quantitative or qualitative) that show that variations resulting from different types of delivery devices do not alter the interpretations of results; or</li> <li>○ A comparability study, as described above.</li> </ul> </li> </ul>

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	<p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, evidence includes:</p> <ul style="list-style-type: none"> <li>• Documentation that the State followed design, development and test administration procedures to ensure comparable results across different versions of the assessments, such as a description of the processes in the technical report for the assessments or a separate report.</li> </ul>
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**Critical Element 4.7 – Technical Analysis and Ongoing Maintenance**

	<b>Examples of Evidence</b>
<p>The State:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Evidence of adequate technical quality is made public, including on the State’s website.</li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>• Documentation that the State has established and implemented clear and technically sound criteria for analyses of its assessment system, such as:               <ul style="list-style-type: none"> <li>○ Sections from the State’s assessment contract that specify the State’s expectations for analyses to provide evidence of validity, reliability, and fairness; for independent studies of alignment and comparability, as appropriate; and for requirements for technical reports for the assessments and the content of such reports applicable to each administration of the assessment;</li> <li>○ The most recent technical reports for the State’s assessments that present technical analyses of the State’s assessments;</li> <li>○ Documentation of the alignment of the State’s assessments to the State’s (1) <b>academic content standards</b>; or (2) <b>ELP standards</b> (e.g., evidence submitted under Critical Element 3.1 – Overall Validity, Including Validity Based on Content);</li> <li>○ Presentations of assessment results (e.g., to the State’s TAC);</li> </ul> </li> <li>• Documentation of the State’s system for monitoring and improving, as needed, the on-going quality of its assessment system, such as:               <ul style="list-style-type: none"> <li>○ Evidence that the State has established and implemented clear criteria for the analysis of its assessment system (see above);</li> <li>○ Documentation of regular internal and external technical review of components of the State’s assessment system, such as State Board of Education minutes, minutes from TAC meetings, and documentation of roles and responsibilities of TAC members;</li> <li>○ Outline of a deliberate cycle for reviewing and updating the State’s: (1) <b>academic content standards and assessments</b>; or (2) <b>ELP standards and assessments</b> (e.g., provides for logical transitions such that the assessments are aligned to the standards on which instruction is based in the relevant school year).</li> </ul> </li> <li>• Evidence the State has made information about the technical quality of the assessment system publicly available, including posting such documents on a State website (provide screenshots of web pages where reports are posted), such as:               <ul style="list-style-type: none"> <li>○ Technical reports for assessments;</li> <li>○ Electronic copies of peer review outcome letters received;</li> <li>○ Other memoranda or reports that address technical quality of the assessments.</li> </ul> </li> </ul>

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## SECTION 5: INCLUSION OF ALL STUDENTS

### Critical Element 5.1 – Procedures for Including Students with Disabilities

	Examples of Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students 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> <p>If a State adopts alternate academic achievement standards for students with the most significant cognitive disabilities and administers an alternate assessment aligned with those standards under ESEA section 1111(b)(1)(E) and (b)(2)(D), respectively, the State must:</p> <ul style="list-style-type: none"> <li>• Establish guidelines for determining whether to assess a student with an AA-AAAS, including:               <ul style="list-style-type: none"> <li>○ A State definition of “students with the most significant cognitive disabilities” that addresses factors related to cognitive functioning and adaptive behavior;</li> </ul> </li> <li>• Provide information for IEP Teams to</li> </ul>	<p>Evidence to support this critical element for the State’s assessment system as a whole includes:</p> <ul style="list-style-type: none"> <li>○ Documentation that the State has in place procedures to ensure the inclusion of all students with disabilities, such as:</li> <li>○ Information for IEP Teams and IEP templates for children with disabilities in tested grades;</li> <li>○ Training materials, as applicable, for IEP Teams placement teams, or individuals or teams designated by a district to make assessment decisions about students with disabilities;</li> <li>○ Accommodations manuals or other key documents that provide information on accommodations for students with disabilities;</li> <li>○ Test administration manuals or other key documents that provide information on available accessibility tools and features;</li> <li>○ Participation guidelines for IEP teams to apply in determining, on a case-by-case basis, which students with the most significant cognitive disabilities will be assessed based on alternate academic achievement standards.</li> <li>○ Guidelines for determining whether to assess a student with a disability on the general assessment without accommodation(s), the general assessment with accommodation(s), an AA-AAAS, or an AELPA.</li> <li>○ <i><b>For the ELP assessment, documents outlining requirements for assessing ELs with disabilities who cannot be assessed in all four domains.</b></i></li> </ul> <p><b>AA-AAAS/AELPA.</b></p> <p>For the <b>AA-AAAS</b>, documentation that the implementation of the State’s alternate academic achievement standards promotes student access to the general curriculum, such as:</p> <ul style="list-style-type: none"> <li>○ State policies that require that instruction for a child with the most significant cognitive disabilities be linked to the State’s academic content standards for the grade in which the child is enrolled;</li> <li>○ State policies that require standards-based IEPs for a child with the most significant cognitive disabilities be linked to the State’s academic content standards for the grade in which the child is enrolled;</li> <li>○ Reports of State monitoring that document the implementation of the State’s policies that an IEP for a child with the most significant cognitive disabilities be linked to the State’s academic content standards for the grade in which the child is enrolled.</li> <li>○ The State’s guidelines for assessing students with the most significant cognitive disabilities with an AA-AAAS.</li> <li>○ That taking an AA-AAAS does not preclude a student with the most significant cognitive disabilities from</li> </ul>

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<p>inform decisions about student assessments that:</p> <ul style="list-style-type: none"> <li>○ Provides a clear explanation of the differences between assessments aligned with grade-level academic achievement standards and those aligned with alternate academic achievement standards, including any effects of State and local policies on a student's education resulting from taking an AA-AAAS, such as how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma;</li> <li>• Ensure that parents of students assessed with an AA-AAAS are informed that their child's achievement will be measured based on alternate academic achievement standards;</li> <li>• Not preclude a student with the most significant cognitive disabilities who takes an AA-AAAS from attempting to complete the requirements for a regular high school diploma; and</li> <li>• Promote, consistent with requirements under the IDEA, the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum that is based on the State's academic content standards for the grade in which the student is enrolled; and</li> </ul>	<p>attempting to complete the requirements for a regular high school diploma;</p> <ul style="list-style-type: none"> <li>• For the <u><i>AELPA</i></u>, documentation that the implementation of the State's alternate ELP achievement standards promotes student access to the general curriculum, such as:             <ul style="list-style-type: none"> <li>○ State policies that require that English language instruction for ELs with the most significant cognitive disabilities be linked to the State's ELP standards for the grade-level/grade band in which the student is enrolled;</li> <li>○ The State's guidelines for assessing ELs with the most significant cognitive disabilities with an AELPA.</li> </ul> </li> <li>• guidelines for IEP teams to apply in determining, on a case-by-case basis, which students with the most significant cognitive disabilities will be assessed with the AELPA.</li> </ul> <p>Note: Key topics related to the assessment of students with disabilities are also addressed in Critical Element 4.2 -- Fairness and Accessibility and in critical elements addressing the AA-AAAS and AELPA throughout.</p>
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<ul style="list-style-type: none"> <li>• Develop, disseminate information on, and promote the use of appropriate accommodations to ensure that a student with the most significant cognitive disabilities who does not take an AA-AAAS participates in academic instruction and assessments for the grade in which the student is enrolled.</li> <li>• The State has in place and monitors implementation of guidelines for IEP teams to apply in determining, on a case-by-case basis, which students with the most significant cognitive disabilities will be assessed based on alternate academic achievement standards, if applicable. Such guidelines must be developed in accordance with 34 CFR § 200.6(d).<sup>5</sup></li> <li>• <b><i>For ELP assessments</i></b>, 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).</li> </ul>	
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<sup>5</sup> See the full regulation at 34 CFR § 200.6(d) (online at [https://www.ecfr.gov/cgi-bin/text-idx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200\\_16&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200_16&rgn=div8))

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**Critical Element 5.2 – Procedures for Including English Learners in Academic Content Assessments**

	<b>Examples of Evidence</b>
<p>The State has in place procedures to ensure the inclusion of all ELs in public elementary and secondary schools in the State’s academic content assessments and clearly communicates this information to districts, schools, teachers, and parents, including, at a minimum:</p> <ul style="list-style-type: none"> <li>• Procedures for determining whether an EL should be assessed with a linguistic accommodation(s);</li> <li>• Information on accessibility tools and features available to all students and assessment accommodations available for ELs;</li> <li>• Assistance regarding selection of appropriate linguistic accommodations for ELs, including to the extent practicable, assessments in the language most likely to yield accurate and reliable information on what those students know and can do to determine the students’ mastery of skills in academic content areas until the students have achieved English language proficiency.</li> </ul>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• Documentation of procedures for determining student eligibility for accommodations and information on selection of appropriate accommodations for ELs;</li> <li>• Accommodations manuals or other key documents that provide information on linguistic accommodations for ELs;</li> <li>• Test administration manuals or other key documents that provide information on available accessibility tools and features;</li> <li>• Information in key documents that indicates all accommodation decisions must be based on individual student needs and provides suggestions regarding what types of accommodations may be most appropriate for students with various levels of proficiency in their first language and English.</li> </ul> <p>Note: Key topics related to the assessment of ELs are also addressed in Critical Element 4.2 – Fairness and Accessibility and 5.3--Accommodations.</p>

**Critical Element 5.3 – Accommodations**

	<b>Examples of Evidence</b>
<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"> <li>• Ensures that appropriate accommodations, such as, interoperability with, and ability to</li> </ul>	<p>Evidence to support this critical element for all the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>• Policies that demonstrate that all students who participate in an assessment with allowable accommodations receive the same benefits as students who participate without those accommodations (e.g., all students participating in a nationally recognized high school test receive the same type of “college reportable score”).</li> <li>• Lists of accommodations available for children with disabilities under IDEA, students covered by Section 504 and Title II of the ADA, and ELs that are appropriate and effective for addressing barrier(s) faced by individual students and appropriate for the assessment mode (e.g., paper-based vs. technology-based), such as lists of</li> </ul>

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<p>use, assistive technology, are available to measure the <b>academic achievement</b> of students with disabilities.</p> <ul style="list-style-type: none"> <li>• Ensures that appropriate accommodations are available for ELs;</li> <li>• 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;</li> <li>• Has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed.</li> <li>• 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.</li> </ul>	<p>types of available accommodations in an accommodations manual, test coordinators manual or test administrators manual;</p> <ul style="list-style-type: none"> <li>• Documentation that describes the interoperability with, and ability to use, assistive technology devices consistent with nationally recognized accessibility standards to measure the academic achievement of students with disabilities.</li> <li>• Documentation that scores for students based on assessments administered with allowable accommodations (and accessibility tools and features, as applicable) allow for valid inferences, such as:             <ul style="list-style-type: none"> <li>○ Description of the reasonable and appropriate basis for the set of accommodations offered on the assessments, such as a literature review, empirical research, recommendations by advocacy and professional organizations, and/or consultations with the State’s TAC, as documented in a section on test design and development in the technical report for the assessments;</li> <li>○ For accommodations not commonly used in large-scale State assessments, not commonly used in the manner adopted for the State’s assessment system, or newly developed accommodations, reports of studies, data analyses, or other evidence that indicate that scores based on accommodated and non-accommodated administrations can be meaningfully compared;</li> <li>○ A summary of the frequency of use of each accommodation on the State’s assessments by student characteristics (e.g., students with disabilities, ELs);</li> </ul> </li> <li>• Evidence that the State has a process to review and approve requests for assessment accommodations beyond those routinely allowed, such as documentation of the State’s process as communicated to district and school test coordinators and test administrators, including:             <ul style="list-style-type: none"> <li>○ Assistance for determining the need for a unique accommodation;</li> <li>○ Training provided to those who will make the decisions regarding the need for a unique accommodation;</li> <li>○ Procedures and forms used in submitting requests for unique accommodations.</li> </ul> </li> <li>• <b><i>For the ELP assessment</i></b>, evidence that the State has a process to review and approve requests for ELs to participate in only a subset of the ELP domains/components on the ELP assessment.</li> </ul>
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**Critical Element 5.4 – Monitoring Test Administration for Special Populations**

	<b>Examples of Evidence</b>
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without</p>	<p>Evidence to support this critical element for the State’s assessment system includes documents such as:</p> <ul style="list-style-type: none"> <li>• Description of procedures the State uses to monitor that accommodations selected for students with disabilities and ELs are appropriate;</li> </ul>

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<p>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"> <li>• Consistent with the State’s policies for accommodations;</li> <li>• Appropriate for addressing a student’s disability or language needs for each assessment administered;</li> <li>• Consistent with accommodations provided to the students during instruction and/or practice;</li> <li>• 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;</li> <li>• Administered with fidelity to test administration procedures;</li> <li>• Monitored for administrations of all required academic content assessments, AA-AAAS, ELP assessments, and AELPA.</li> </ul>	<ul style="list-style-type: none"> <li>• Description of procedures the State uses to monitor that students with disabilities are placed by IEP Teams, placement teams, or individuals or teams designated by a district to make assessment decisions about students with disabilities or ELs in the appropriate assessment;</li> <li>• The State’s written procedures for monitoring the use of accommodations during test administration, such as information provided to districts; instructions and protocols for State, district and school staff; and schedules for monitoring;</li> <li>• Summary of results of monitoring for the most recent year of test administration in the State.</li> </ul>
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**SECTION 6: ACADEMIC AND ELP ACHIEVEMENT STANDARDS AND REPORTING**

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

	<b>Examples of Evidence</b>
<p><b>For academic content standards:</b> The State formally adopted <b><u>challenging</u></b></p>	<p>Evidence to support this critical element for the State’s assessment system includes:</p> <ul style="list-style-type: none"> <li>• Evidence that the State has adopted (1) <b><u>challenging academic achievement standards</u></b>; or (2) <i>ELP achievement standards</i>;</li> </ul>

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<p><b><u>academic achievement standards</u></b> in reading/language arts, mathematics, and science for all students, specifically:</p> <ul style="list-style-type: none"> <li>• The State formally adopted academic achievement standards in the required tested grades and, at its option, alternate academic achievement standards for students with the most significant cognitive disabilities;</li> <li>• The State applies its academic achievement standards to all public elementary and secondary school students enrolled in the grade to which they apply, with the exception of students with the most significant cognitive disabilities to whom alternate academic achievement standards may apply;</li> </ul> <p>The State’s academic achievement standards and, as applicable, alternate academic achievement standards, include: (1) at least three levels of achievement, with two for high achievement and a third for lower achievement; (2) descriptions of the competencies associated with each achievement level; and (3) achievement scores that differentiate among the achievement levels.</p> <p><b><i>For ELP standards:</i></b></p> <ul style="list-style-type: none"> <li>• The State adopted ELP achievement standards that address the different proficiency levels of ELs;</li> <li>• 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</li> </ul>	<ul style="list-style-type: none"> <li>• Evidence of adoption of the State’s: (1) <b><u>academic achievement standards and, as applicable, alternate academic achievement standards</u></b>, in the required tested grades and subjects (i.e., in reading/language arts and mathematics for each of grades 3-8 and at least once in grades 9-12 and in science for each of three grade spans (3-5, 6-9, and 10-12)); and (2) <b><i>ELP achievement standards and, as applicable, alternate ELP achievement standards for all ELs in grades K-12</i></b>; evidence for all sets of achievement standards could include State Board of Education minutes; memo announcing formal approval from the Chief State School Officer to districts; legislation, regulations, or other binding approval;</li> <li>• State statutes, regulations, policy memos, State Board of Education minutes, memo from the Chief State School Officer to districts or other key documents that clearly state that the <b><u>State’s academic achievement standards and ELP achievement standards apply to all public elementary and secondary school students in the State (with the exception of students with the most significant cognitive disabilities to whom alternate academic achievement standards or alternate ELP achievement standards may apply)</u></b>;</li> <li>• For <b><u>the academic achievement standards and, as applicable, alternate academic achievement standards</u></b>, evidence regarding: (1) at least three levels of achievement, including two levels of high achievement (e.g., proficient and advanced) and a third level below proficient; (2) descriptions of the competencies associated with each achievement level; and (3) achievement scores (i.e., “cut scores”) that differentiate among the achievement levels).</li> <li>• For the <b><i>ELP achievement standards, and as applicable, alternate ELP achievement standards</i></b>, evidence that the standards (1) address the different proficiency levels of ELs; and (2) have achievement scores (“cut scores”) or other procedures used to differentiate among ELP achievement levels.</li> </ul>
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assessment even with appropriate accommodations.	
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**Critical Element 6.2 – Achievement Standards Setting**

	<b>Examples of Evidence</b>
<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"> <li>• <b><u>Academic achievement standards and, as applicable, alternate academic achievement standards;</u></b> and</li> <li>• <b><i>ELP achievement standards and, as applicable, alternate ELP achievement standards,</i></b> such that:                             <ul style="list-style-type: none"> <li>○ Cut scores are developed for every grade/grade band, content domain/language domain, and/or composite for which proficiency-level scores are reported.</li> </ul> </li> </ul>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>• The State’s standards-setting report, including:                             <ul style="list-style-type: none"> <li>○ A description of the standards-setting method and process used by the State;</li> <li>○ The rationale for the method selected;</li> <li>○ Documentation that the method used for setting cut scores allowed panelists to apply their knowledge and experience in a reasonable manner and supported the establishment of reasonable and defensible cut scores;</li> <li>○ Documentation of the process used for setting cut scores and developing performance-level descriptors (1) <b><u>aligned to the State’s academic content standards;</u></b> or (2) <b><i>aligned to the State’s ELP standards;</i></b></li> <li>○ A description of the process for selecting panelists;</li> <li>○ Documentation that the standards-setting panels consisted of panelists with appropriate experience and expertise, including:                                     <ul style="list-style-type: none"> <li><b><u>For academic assessments--</u></b> <ul style="list-style-type: none"> <li>▪ Content experts with experience teaching the State’s academic content standards in the tested grades;</li> <li>▪ Individuals with experience and expertise teaching students with disabilities, ELs and other student populations in the State;</li> <li>▪ As appropriate, individuals from institutions of higher education (IHE) and individuals knowledgeable about career-readiness;</li> <li>▪ A description, by relevant characteristics, of the panelists (overall and by individual panels) who participated in achievement standards setting;</li> </ul> </li> <li><b><u>For ELP assessments–</u></b> <ul style="list-style-type: none"> <li>▪ EL acquisition experts with experience teaching the State’s ELP standards in the tested grades;</li> <li>▪ Individuals with experience and expertise teaching ELs with disabilities in the State;</li> <li>▪ Individuals with experience teaching the State’s academic content standards;</li> <li>▪ As appropriate, individuals from IHEs and individuals knowledgeable about English language acquisition and the education of ELs;</li> </ul> </li> </ul> </li> <li>○ If available, a summary of statistical descriptions and analyses that provides evidence of the reliability of the cut scores and the validity of recommended interpretations;</li> <li>○ A technical report providing a description of the method used, the diversity of the panelists involved and their qualifications, quality control procedures, the use of impact data, and panelist evaluation results;</li> <li>○ Participant rosters or sign-in sheets.</li> </ul> <p><b><i>For ELP assessments:</i></b></p> </li></ul>

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	<ul style="list-style-type: none"> <li>Evidence of a plan to research and monitor the validity of the ELP achievement standards (e.g., an EL who achieves proficiency on the ELP assessment has the same probability of passing academic content assessments as a non-EL, but the proficiency level is not set so high that it prevents ELs from being reclassified when it is appropriate).</li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA, in addition to the above, evidence includes:</p> <ul style="list-style-type: none"> <li>Documentation that the panels for setting (1) <b>alternate academic achievement standards</b> included individuals knowledgeable about the State’s academic content standards and special educators knowledgeable about students with the most significant cognitive disabilities; and, if applicable, (2) <b>alternate ELP achievement standards</b> included individuals knowledgeable about the State’s ELP standards and special educators knowledgeable about ELs with the most significant cognitive disabilities.</li> <li>For the <b>AELPA</b>, evidence of a plan to research and monitor the validity of ELP alternate achievement standards (e.g., an EL with the most significant cognitive disabilities who achieves proficiency on the AELPA has the same probability of passing the AA-AAAS as non-ELs with the most significant cognitive disabilities, but the proficiency level is not set so high that it prevents ELs from being reclassified when it is appropriate).</li> </ul>
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**Critical Element 6.3 – Challenging and Aligned Academic Achievement Standards or Aligned ELP Achievement Standards**

	<b>Examples of Evidence</b>
<p><b><u>For academic achievement standards:</u></b></p> <p>The State’s academic achievement standards are challenging and aligned with the State’s academic content standards and with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards such that a student who scores at the proficient or above level has mastered what students are expected to know and be able to do by the time they graduate from high school in order to succeed in college and the workforce.</p> <p>If the State has adopted alternate academic achievement standards for</p>	<p>Evidence to support this critical element for all of the State’s assessments includes:</p> <p><b><u>For the State’s general academic achievement standards:</u></b></p> <ul style="list-style-type: none"> <li>Documentation that the State’s academic achievement standards are aligned with the State’s academic content standards, such as:               <ul style="list-style-type: none"> <li>A description of the process used to develop the State’s academic achievement standards that shows that:                   <ul style="list-style-type: none"> <li>The State’s grade-level academic content standards were used as a main reference in writing performance level descriptors;</li> <li>The process of setting cut scores used, as a main reference, performance level descriptors that reflect the State’s grade-level academic content standards;</li> <li>The State’s cut scores were set and performance level descriptors written to reflect the depth and breadth of the State’s academic content standards for each grade;</li> </ul> </li> <li>A description of steps taken to vertically articulate the performance level descriptors across grades;</li> <li>Evaluation by standard-setting panelists or external expert reviewers that the State’s academic achievement standards are aligned to the grade-level academic content standards and include subject-specific performance level descriptors that meaningfully differentiate across performance levels within grades and are vertically articulated across grades;</li> </ul> </li> <li>Documentation that the State’s academic achievement standards are challenging, such as:               <ul style="list-style-type: none"> <li>Reports of the results of benchmarking the State’s academic achievement standards against NAEP,</li> </ul> </li> </ul>

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<p>students with the most significant cognitive disabilities, the alternate academic achievement standards (1) are aligned with the State’s challenging academic content standards for the grade in which a student is enrolled; (2) promote access to the general curriculum consistent with the IDEA; (3) reflect professional judgment as to the highest possible standards achievable for such students; (4) are designated in the IEP for each student for whom alternate academic achievement standards apply; and (5) are aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or competitive integrated employment.</p> <p><b>For ELP achievement standards:</b> 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>international assessments or other related and appropriate measures;</p> <ul style="list-style-type: none"> <li>○ Policies of the State network of IHEs that exempt from remedial courses and place into credit-bearing college courses any student who scores at the proficient level or above on the State’s high school assessments.</li> </ul> <p><b>For the State’s general ELP achievement standards:</b> A description of the process used to develop the State’s ELP achievement standards that shows that:</p> <ul style="list-style-type: none"> <li>● The State’s ELP standards were used as a main reference in writing performance level descriptors;</li> <li>● The process of setting cut scores used, as a main reference, performance level descriptors that reflect the State’s ELP standards;</li> <li>● The State’s cut scores were set and performance level descriptors written to reflect the depth and breadth of the State’s ELP standards for each grade or grade band;             <ul style="list-style-type: none"> <li>○ A description of steps taken to vertically articulate the performance level descriptors within and across grades/grade bands;</li> <li>○ The State’s standards-setting process documents that the proficient level represents the level of English proficiency at which it is reasonable to conclude that language no longer is an appreciable barrier to access to the curriculum, yet that proficient score is not so high as to preclude a student from exiting EL status who no longer has such a language barrier.</li> </ul> </li> </ul> <p><b>AA-AAAS/AELPA.</b> For the State’s AA-AAAS and AELPA:</p> <ul style="list-style-type: none"> <li>● Documentation that the State’s <b>alternate academic achievement standards</b> are aligned with the State’s academic content standards for the grade in which a student is enrolled, such as:             <ul style="list-style-type: none"> <li>○ A description of the process used to develop the alternate academic achievement standards that shows:                 <ul style="list-style-type: none"> <li>▪ The State’s grade-level academic content standards or extended academic content standards were used as a main reference in writing performance level descriptors for the alternate academic achievement standards;</li> <li>▪ The process of setting cut scores used, as a main reference, performance level descriptors aligned with the State’s grade-level academic content standards or extended academic content standards;</li> <li>▪ The cut scores were set and performance level descriptors written to align with the State’s grade-level academic content standards or extended academic content standards;</li> <li>▪ A description of steps taken to vertically articulate the alternate academic achievement standards (including cut scores and performance level descriptors) across grades;</li> <li>▪ Follow-up studies that examine proficiency on the high-school assessments and performance in post-secondary education, vocational training or competitive integrated employment.</li> </ul> </li> </ul> </li> <li>● Documentation that the State’s <b>alternate ELP achievement standards</b> are linked to the State’s ELP achievement standards, such as:             <ul style="list-style-type: none"> <li>○ A description of the process used to develop the alternate ELP achievement standards that shows:                 <ul style="list-style-type: none"> <li>▪ The State’s grade/grade band ELP standards or extended ELP standards were used as a main reference</li> </ul> </li> </ul> </li> </ul>
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	<p>in writing performance level descriptors for the alternate ELP achievement standards;</p> <ul style="list-style-type: none"> <li>▪ Evaluation by standard-setting panelists or external expert reviewers that the alternate ELP achievement standards are aligned with the grade level ELP standards and reflect the highest ELP achievement standards possible for ELs with the most significant cognitive disabilities;</li> <li>▪ The process of setting cut scores used, as a main reference, performance level descriptors linked to the State’s grade/grade-level/grade-band ELP standards or extended ELP standards;</li> <li>▪ The cut scores were set and performance level descriptors written to link to the State’s grade-level/grade-band ELP standards or align with the extended ELP standards;</li> <li>▪ A description of steps taken to vertically articulate the alternate ELP achievement standards (including cut scores and performance level descriptors) within and across grades/grade bands.</li> </ul>
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**Critical Element 6.4 – Reporting**

	<b>Examples of Evidence</b>
<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: (1) <b><u>student academic achievement for all students and each student group at each achievement level<sup>6</sup></u></b> and (2) <i>English language proficiency for all ELs including the number and percentage of ELs attaining ELP.</i></p> <p>For <b><u>academic content assessments</u></b>, the State reports assessment results, including itemized score analyses, to districts and schools so that parents, teachers, principals, and administrators can interpret the results and address the <b><u>specific academic needs of students</u></b>, and the State also provides interpretive guides to support appropriate uses of the assessment results.</p> <ul style="list-style-type: none"> <li>The State provides for the production and delivery of individual student interpretive, descriptive, and</li> </ul>	<p>Collectively, for the State’s assessment system, evidence to support this critical element must demonstrate that the State’s reporting system facilitates timely, appropriate, credible, and defensible interpretation and use of its assessment results.</p> <p>Evidence to support this critical element for all the State’s assessments includes:</p> <ul style="list-style-type: none"> <li>Evidence that the State reports to the public : (1) <b><u>student academic achievement for all students and each student subgroup</u></b> ( at each proficiency level and the percentage of students not tested); or (2) <i>English language proficiency for all ELs</i> (including the number and percentage of ELs attaining ELP) after each test administration, such as:             <ul style="list-style-type: none"> <li>State report(s) of assessment results (e.g., a State report card);</li> <li>Appropriate interpretive documents provided in or with the State report(s) that addresses appropriate uses and limitations of the data (e.g., when comparisons across student groups of different sizes are and are not appropriate).</li> </ul> </li> <li>Evidence that the State reports results for use in instruction, such as:             <ul style="list-style-type: none"> <li>Written materials and other documentation such as interpretive guides from the State and from eligible entities;</li> <li>Evidence that the State’s reporting system includes supporting information to facilitate accurate interpretation of data for those who will receive and use its reports, such as information about the content and structure of assessments, intended purposes and uses of scores, and how the assessments are related to its (1) <b><u>academic content standards</u></b>; or (2) <i>ELP standards</i>;</li> <li>Instructions for districts, schools, and teachers for access to assessment results, such as an electronic database of results;</li> <li>Examples of reports of assessment results at the classroom, school, district and State levels provided to teachers, principals, and administrators that include itemized score analyses, results according to proficiency levels, performance level descriptors, and, as appropriate, other analyses that go beyond the total score (e.g., analysis of results by strand/domain/component);</li> <li>Instructions for teachers, principals, and administrators on the appropriate interpretations and uses of results for students tested that include: the purpose and content of the assessments; assistance in interpreting the results; appropriate uses and limitations of the data; and information to allow use of the assessment results appropriately for addressing the specific academic needs of students, student groups, schools and districts.</li> <li>Timeline that shows results are reported to districts, schools, and teachers in time to allow for the use of the</li> </ul> </li> </ul>

<sup>6</sup> Although all students with disabilities must be included in a State’s assessment system, requirements for public reporting in ESEA section 1111(h)(1)(C)(ii) apply only to children with disabilities as defined in section 602(3) of the IDEA.

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<p>diagnostic reports after each administration of its academic content assessments that:</p> <ul style="list-style-type: none"> <li>○ Provide valid and reliable information regarding a <b><u>student’s academic achievement</u></b>;</li> <li>○ Report the <b><u>student’s academic achievement</u></b> in terms of the State’s grade-level academic achievement standards;</li> <li>○ Provide information to help parents, teachers, and principals interpret the test results and address the specific <b><u>academic needs of students</u></b>;</li> <li>○ Are provided in an understandable and uniform format;</li> <li>○ 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;</li> <li>○ 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.</li> <li>● The State follows a process and timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration.</li> </ul>	<p>results in planning for the following school year;</p> <ul style="list-style-type: none"> <li>○ Templates or sample individual student reports for each assessment and grade level (if the individual student reports are substantially the same across grades, the State may choose to submit a sample of the reports, such as individual student reports for both subjects for grades 3, 7, and high school and provide narrative explaining that they are not substantively different) for reporting student performance that:             <ul style="list-style-type: none"> <li>▪ Report on student achievement according to the <b><u>domains and subdomains defined in the State’s academic content standards and the achievement levels for the student scores</u></b> (though sub-scores should only be reported when they are based on a sufficient number of items or score points to provide valid and reliable results);</li> <li>▪ Report on the student’s achievement in terms of <b><u>grade-level achievement using the State’s grade-level academic achievement standards</u></b>;</li> <li>▪ Display information in a uniform format and use simple language that is free of jargon and understandable to parents, teachers, and principals;</li> <li>▪ Examples of the interpretive information that accompanies individual student reports, either integrated with the report or a separate page(s), including cautions related to the reliability of the reported scores;</li> <li>▪ Samples of individual student reports in other languages and/or in alternative formats, as applicable.</li> </ul> </li> <li>○ Evidence that the State follows a process and timeline for delivering individual student reports, such as:             <ul style="list-style-type: none"> <li>▪ Timeline adhering to the need for the prompt release of assessment results that shows when individual student reports are delivered to districts and schools;</li> <li>▪ Key documents, such as a cover memo that accompanies individual student reports delivered to districts and schools, listserv messages to district and school test coordinators, or other meaningful communication to districts and schools that include the expectation that individual student reports be delivered to teachers and principals and corresponding expectations for timely delivery to parents (e.g., within 30 days of receipt).</li> </ul> </li> </ul> <p>Note: Samples of individual student reports and any other sample reports should be redacted to protect personally identifiable information, as appropriate, or populated with information about a fictitious student for illustrative purposes. (Examples and requirements for ELP assessments continue on the follow page)</p>
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<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"> <li>• Reports the <i>ELs’ English proficiency</i> in terms of the State’s grade level/grade-band ELP standards (including performance-level descriptors);</li> <li>• Are provided in an understandable and uniform format;</li> <li>• 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;</li> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• For the <i>ELP assessments</i>, evidence that users of the reports understand assessment results in terms of the State’s ELP standards and performance levels, and, as appropriate, sub-scores consistent with the design of its ELP standards, such as:             <ul style="list-style-type: none"> <li>○ Documentation of the use of ELP test scores to make educationally sound placement decisions;</li> <li>○ Reports showing positive rates of English language development/acquisition when placed appropriately in English language instruction educational programs;</li> <li>○ Information about the included ELP standards domains and validity of any composite scores reported that are not based on all four domains;</li> </ul> </li> <li>○ Evidence that the State follows a process and timeline for delivering individual <i>ELP assessment</i> student reports, such as:             <ul style="list-style-type: none"> <li>○ Timeline adhering to the need for the prompt release of assessment results that shows when individual student reports are delivered to districts and schools;</li> <li>○ Key documents, such as a cover memo that accompanies individual student reports delivered to districts and schools, listserv messages to district and school test coordinators, or other meaningful communication to districts and schools that include the expectation that individual student reports be delivered to teachers and principals and corresponding expectations for timely delivery to parents (e.g., within 30 days of receipt).</li> </ul> </li> <li>• For <i>ELP assessments</i>, evidence that schools <i>report the results of ELP assessments to parents of ELs (e.g., the annual parent notice to parents of ELs required under section 1112(e)(3))</i>.</li> </ul>
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**SECTION 7: LOCALLY SELECTED NATIONALLY RECOGNIZED HIGH SCHOOL ACADEMIC ASSESSMENTS (if applicable; evidence for this section would be submitted in ADDITION to evidence for sections 1 through 6)**

**Critical Element 7.1 – State Procedures for the Use of Locally Selected, Nationally Recognized High School Academic Assessments**

	Examples of Evidence
<p>The State has established technical criteria to use in its review of any submission of a locally selected, nationally recognized high school academic assessment. The State has completed this review using its established technical criteria and has found the assessment meets its criteria <b><u>prior to</u></b> submitting for the Department’s assessment peer review.</p> <p>The State’s technical criteria include a determination that the assessment:</p> <ul style="list-style-type: none"> <li>• Is aligned with the challenging State academic standards; and</li> <li>• Addresses the depth and breadth of those standards.</li> </ul> <p>AND</p> <p>The State has procedures in place to ensure that a district that chooses to use a nationally recognized high school academic assessment administers the same assessment to all high school students in the district except for students with the most significant cognitive disabilities who may be assessed with an AA-AAAS.</p> <p>AND</p> <p>The technical criteria established by the State in reviewing a locally selected,</p>	<p>Evidence to support this portion of the critical element for the selected assessment may include:</p> <ul style="list-style-type: none"> <li>• Evaluations of the degree to which the nationally recognized academic assessments align with State content standards. This evidence may also have been used in submissions for critical elements 2.1, 2.2, 3.1, and 3.2.</li> </ul> <p>AND</p> <p>Collectively, evidence to support this portion of the critical element for the selected assessment includes documentation that the State plans to have in place procedures that ensure that districts administer the selected assessment to all high school students in the district (except for students who are assessed with an AA-AAAS). This evidence may include:</p> <ul style="list-style-type: none"> <li>• Proposed documents for districts on the use of the selected assessment.</li> <li>• Proposed monitoring procedures and tools that the State has in place to ensure that districts assess all students with the selected assessment (e.g., State reports of district participation for tested grades for the selected assessment).</li> </ul> <p>AND</p> <p>Evidence to support this portion of the critical element for the selected assessment may include:</p>

<p>nationally recognized high school academic assessment must ensure that the use of appropriate accommodations does not deny a student with a disability or an EL—</p> <ul style="list-style-type: none"> <li>• The opportunity to participate in the assessment; and</li> <li>• Any of the benefits from participation in the assessment that are afforded to students without disabilities or students who are not ELs.</li> </ul>	<ul style="list-style-type: none"> <li>• Documentation that the nationally recognized academic assessments provide testing accommodations that permit students with disabilities and English learners the opportunity to participate in each assessment and receive equal benefits.</li> <li>• A description of any technical criteria considered that address the evaluation of equal benefits for students with disabilities or ELs who participate in the selected assessment.</li> <li>• Evidence of a completed review (e.g., internal report, independent panel review, TAC recommendations/reviews) that documents the application of the equal benefits criteria to the selected assessment.</li> </ul>
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**Element 7.2 –State Monitoring of Districts Regarding the Use of Locally Selected, Nationally Recognized High School Academic Assessments**

	<b>Examples of Evidence</b>
<p>The State must have procedures in place to ensure that:</p> <p><b>Before</b> a district requests approval from the State to use a nationally recognized high school academic assessment, the district notifies all parents of high school students it serves—</p> <ul style="list-style-type: none"> <li>• That the district intends to request approval from the State to use a nationally recognized high school academic assessment in place of the statewide academic assessment;</li> <li>• Of how parents and, as appropriate, students may provide meaningful input regarding the district’s request (includes students in public charter schools who would be included in such assessments); and</li> <li>• Of any effect of such request on the instructional program in the district.</li> </ul>	<p>Collectively, evidence to support this critical element for the selected assessment documents that the State has in place a procedure that ensures that districts administer the selected assessment to all students in the district (except for students who are assessed with an AA-AAAS). This evidence may include:</p> <ul style="list-style-type: none"> <li>• Informative documents for districts on the use of the selected assessment;</li> <li>• Application materials and guidance provided to districts by the State that outline the procedures for requesting and maintaining approval to use the selected assessment;</li> <li>• Samples of assurances received from districts regarding the use of the selected assessment that demonstrate that districts have met all (intent, notification, consultation) requirements prior to their request for permission to use the selected assessment;</li> <li>• Adopted updated monitoring protocols that will be used by the State when monitoring districts regarding the use of the selected assessment on an annual basis;</li> <li>• Procedures to annually notify districts regarding the use of State approved nationally recognized high school academic assessment in lieu of the State assessment.</li> <li>• Samples of letters districts provided to parents regarding the use of State approved nationally recognized high school tests.</li> <li>• Samples of LEA notifications to State.</li> </ul>

**Element 7.3 –Comparability of the Locally Selected Nationally Recognized High School Academic Assessments with the State Assessments**

	<b>Examples of Evidence</b>
<p>The locally selected, nationally recognized high school academic assessment:</p> <ul style="list-style-type: none"> <li>• Is equivalent to or more rigorous than the statewide assessment, with respect to—               <ul style="list-style-type: none"> <li>○ The coverage of academic content;</li> <li>○ The difficulty of the assessment;</li> <li>○ The overall quality of the assessment; and</li> <li>○ Any other aspects of the assessment that the State may establish in its technical criteria;</li> </ul> </li> <li>• Produces valid and reliable data on student academic achievement with respect to all high school students and each subgroup of high school students in the district that—               <ul style="list-style-type: none"> <li>○ Are comparable to student academic achievement data for all high school students and each subgroup of high school students produced by the statewide assessment at each academic achievement level;</li> <li>○ Are expressed in terms consistent with the State’s academic achievement standards; and</li> <li>○ Provide unbiased, rational, and consistent differentiation among schools within the State for the purpose of the State determined accountability system including calculating the Academic Achievement indicator and annually meaningfully differentiating between schools.</li> </ul> </li> </ul>	<p>Evidence to support this critical element for the selected assessment may include:</p> <ul style="list-style-type: none"> <li>• Empirical analyses that provide evidence regarding the rigor and quality of the selected assessment (e.g., technical reports);</li> <li>• Studies, research, and analyses to determine the extent to which the nationally recognized academic assessments provide comparable, valid, and reliable data on student achievement as compared to the State high school academic assessments for all students and for each subgroup of students.</li> <li>• Analyses to determine whether the nationally recognized academic assessments provide unbiased, rational, and consistent differentiation among schools within the State’s accountability system.</li> <li>• Summaries of reviews conducted by the State to establish the comparability of the selected assessment content coverage, difficulty, and overall quality, especially in contrast to the State assessment;</li> <li>• Empirical analysis which shows the comparison of student academic achievement data for all high school students and each subgroup of high school students produced by the selected assessment at each academic achievement level with the State assessment; and</li> <li>• Samples of reports that demonstrate the results for the selected assessment are expressed in terms consistent with the State’s academic achievement standards.</li> </ul>