



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Steven L. Paine, Ed.D  
State Superintendent of Schools  
West Virginia Department of Education  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

September 24, 2019

Dear Superintendent Paine:

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

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

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

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

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

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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

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

Additionally, the Office of Special Education and Rehabilitative Services (OSERS) will monitor progress on matters pertaining to requirements in the Individuals with Disabilities Education Act (IDEA) related to the participation of students with disabilities in Title I assessments. In particular, OSERS will monitor progress against critical elements 1.4, 4.2, 5.1 and 5.3. Insufficient progress to address such matters may lead OSERS to place a condition on WVDE's Federal fiscal year 2020 IDEA Part B grant award.

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

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

If you have any questions, please contact my staff at: [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

Sincerely,

/s/

Frank T. Brogan  
Assistant Secretary for  
Elementary and Secondary Education

Enclosures

cc: Vaughan Rhudy, Executive Director of Assessment

**Critical Elements Where Additional Evidence is Needed to Meet the Requirements for West Virginia’s Use of the ELPA21 as an English Language Proficiency Assessment**

Critical Element	Additional Evidence Needed
<b>1.3 – Required ELP Assessments</b>	<p>For the State’s ELP assessment system:</p> <ul style="list-style-type: none"> <li>• Evidence that the State’s assessment system includes an annual general and alternate ELP assessment (aligned with State ELP standards) administered to: All ELs, including ELs with the most significant cognitive disabilities.</li> </ul>
<b>1.4 – Policies for Including All ELs in ELP Assessments</b>	<p>For the State’s ELP assessment system:</p> <ul style="list-style-type: none"> <li>• Evidence requested in critical element 1.3.</li> </ul>
<b>2.1 – Test Design and Development</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence of ELPA21 test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of the State’s ELP standards, and support the intended interpretations and uses of the results such as unredacted blueprints and test form construction guides or evidence that includes but is not limited to the following: <ul style="list-style-type: none"> <li>○ Information on how many standards each test form is assessing and how many standards are not assessed by form and grade or grade band.</li> <li>○ The proportion of hand-scored items by grade-band domain versus the proportion of machine-scored items.</li> <li>○ A rationale for assessing/not assessing standards.</li> <li>○ Documentation and a description of how the test blueprints support the intended interpretation and uses of the results.</li> </ul> </li> <li>• Evidence of processes to ensure that the ELPA21 assessment is tailored to the knowledge and skills included in the State’s ELP standards and reflects appropriate inclusion of the range of complexity found in the standards (e.g., strong, independent evidence of alignment).</li> <li>• Regarding WVDE’s adaptive test design, evidence that clarifies how item selection procedures adequately support the test design and intended uses and interpretations of results (for example, please clarify how the adaptive algorithm selects specific items for which a student is eligible).</li> </ul>
<b>2.2 – Item Development</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence that ELPA21 uses reasonable and technically sound procedures to develop and select items to assess student ELP based on the State’s ELP standards in terms of content and language processes (e.g., evidence that ensures that future item development will address gaps identified in the alignment study, specifically the relative lack of items in terms of language and content processes, the lack of items that measure certain standards, and the production of more difficult items for some test forms).</li> </ul>
<b>2.5 – Test Security</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence that WVDE has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results, specifically practices or procedures for maintaining the security of test materials during ELPA21 test development.</li> </ul>

Critical Element	Additional Evidence Needed
<b>3.1 – Overall Validity, including Validity Based on Content</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Documentation of adequate alignment between ELPA21 and the ELP standards the assessment is designed to measure in terms of language knowledge and skills and the depth and breadth of the State’s ELP standards across all proficiency levels, domains, and modalities identified therein (e.g., unredacted blueprints and test form construction guides; strong evidence of alignment; checklists for reviewing items; item development plans; field test plans).</li> <li>• Documentation of alignment between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards (e.g., evidence to support the use of the ELPA21 for exit decisions in EL programs).</li> </ul>
<b>3.2 – Validity Based on Linguistic Processes</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Evidence that ELPA21 taps the intended language processes appropriate for each grade level/grade-band as represented in the State’s ELP standards (e.g., results of an independent external alignment study after previous identified gaps have been addressed; or cognitive labs to demonstrate that test items assess the intended linguistic processes).</li> </ul>
<b>3.3 – Validity Based on Internal Structure</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s ELP standards on which the intended interpretations and uses of results are based (e.g., evidence that there are sufficient numbers of high difficulty items on all domains of the lower grade band tests and on the writing, listening and speaking domains in grade 6-8 and 9-12).</li> </ul>
<b>3.4 – Validity Based on Relationships with Other Variables</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Evidence that the State’s assessment scores are related as expected with other variables.</li> </ul>
<b>4.1 – Reliability</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Reliability evidence, specifically evidence of conditional standard error of measurement of ELPA21 (e.g., for students of higher abilities).</li> </ul>
<b>4.2 – Fairness and accessibility</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Evidence that ELPA21 has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in the design, development, and analysis (e.g., evidence of item writer training materials that address accessibility; and evidence of processes in the development of accommodated forms of the tests that ensure accessibility for ELs with disabilities).</li> </ul>
<b>4.3 – Full Performance Continuum</b>	For ELPA21: <ul style="list-style-type: none"> <li>• Evidence that ELPA21 provides an adequately precise estimate of student performance across the full performance continuum, including performance for EL students with high and low levels of English language proficiency and with different proficiency profiles across the domains of speaking, listening, reading, and writing (e.g., item maps showing difficulty and student ability across the performance continuum in each domain and overall).</li> </ul>

Critical Element	Additional Evidence Needed
<b>4.4 – Scoring</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence of documented standardized scoring procedures and protocols for its ELP assessments, including any applicable domain or component sub-tests) that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s ELP standards (e.g., more detailed scoring information for both machine-scored and hand-scored items).</li> <li>• Evidence that, for English learners with a disability that precludes assessment of the student in one or more of the required domains/components such that there are no appropriate accommodations for the affected domain(s)/component(s), the State has described how it will ensure that the student is assessed in the remaining domain(s)/component(s) in which it is possible to assess the student.</li> </ul>
<b>4.5 – Multiple Assessment Forms</b>	<p>Specifically, for WVDE’s adaptive ELPA21 test design:</p> <ul style="list-style-type: none"> <li>• Evidence that the multiple forms of ELP assessments within grade-spans adequately represent the State’s ELP standards and yield consistent score interpretations such that the forms are comparable within and across settings (e.g., evidence of improved blueprint match for assessments administered in grades 7 and 8).</li> </ul>
<b>4.6 – Multiple Versions of an Assessment</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence that the paper and Braille versions of the ELPA21: <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> </li> </ul>
<b>4.7 – Technical Analysis and Ongoing Maintenance</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence of a system for monitoring, maintaining, and improving, as needed, the quality of the ELPA21, including clear and technically sound criteria for the analyses of the assessment (e.g., evidence that the 2013 plan for quality assurance has been implemented).</li> <li>• Evidence of adequate technical quality is made public, including on the State’s website.</li> </ul>
<b>5.1 – Procedures for Including Students with Disabilities</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence 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>
<b>5.3 – Accommodations</b>	<p>For ELPA21:</p> <ul style="list-style-type: none"> <li>• Evidence that the State ensures that accommodations for all required assessments do not deny ELs with disabilities the opportunity to participate in the assessment and any benefits from participation in the assessment, specifically ELs with significant cognitive disabilities.</li> </ul>

<b>Critical Element</b>	<b>Additional Evidence Needed</b>
<b>6.4 – Reporting</b>	For ELPA21: <ul style="list-style-type: none"><li>• Evidence that the State reports its assessment results for all students assessed in a timely fashion (e.g., provide a timeline for reporting results).</li><li>• Evidence that the State reports to the public its assessment results on English language proficiency for all ELs including the number and percentage of ELs attaining ELP.</li><li>• Evidence that reports are available, upon request by a parent who is an individual with a disability as defined by the Americans with Disabilities Act (ADA), are provided in an alternative format accessible to that parent(e.g., how does the State assure that LEAs are meeting the requirement to provide, upon request, accessible score reports to parents with disabilities).</li></ul>

U. S. DEPARTMENT OF EDUCATION

# Peer Review of State Assessment Systems

## April State ELP Assessment Peer Review Notes



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

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

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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

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

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

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><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> </ul> <p>align to the State academic content standards (see definition<sup>1</sup>). The ELP standards must contain language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science.</p>	<p><b>EL 1.2.1</b> <i>Council of Chief State School Officers English Language Proficiency Standards Development (2013)</i>, pp. 4, 12-19.</p> <p><b>EL 1.2.2</b> <i>English Language Proficiency (ELP) Standards (2014)</i>, pp. 31-210.</p> <p><b>EL 1.2.3</b> <i>Framework for English Language Proficiency Development Standards Corresponding to the Common Core State Standards and the Next Generation Science Standards (CCSSO, 2012)</i>.</p>	<p>ELPA21 provided evidence about the development of the ELP standards that show that they are derived from the four domains and address different proficiency levels of ELs.</p> <p>The evidence provides support for alignment between the ELP standards and the academic content practices (EL 1.2.2, p. 32-34) rather than between the ELP standards and academic content standards.</p> <p>For States that have adopted the Common Core State Standards for Mathematics and ELA/Literacy and Next Generation Science Standards, peers believe that sufficient evidence is provided that academic content practices correspond to the ELP standards.</p> <p>States that have adopted different standards than Common Core and Next Generation would need to provide additional alignment evidence.</p>
<p><b>Section 1.2 Summary Statement</b></p>		
<p>If a member State has adopted standards other than Common Core and Next Generation, they will need to provide additional alignment evidence.  <input checked="" type="checkbox"/> No additional evidence is required (for States with common core reading/language arts and mathematics; and next generation science content standards)</p>		

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 1.3 – Required Assessments**

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

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

### **Section 1.3 Summary Statement**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 1.4 – Policies for Including All Students in Assessments**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

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

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<p>If the State has developed or amended challenging <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> <li>• State leaders, including the Governor, members of the State legislature and State board of education (if the State has a State board of education).</li> <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>Reviewed by Department Staff Only</p>	<p>Reviewed by Department Staff Only</p>
<p><b>Section 1.5 Summary Statement</b></p>		
<p>N/A for consortium review</p>		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

**SECTION 2: ASSESSMENT SYSTEM OPERATIONS**

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

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

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

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

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### Section 2.1 Summary Statement

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

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 2.2 – Item Development**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 2.3 – Test Administration**

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

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

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 2.4 – Monitoring Test Administration**

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

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**Critical Element 2.5 – Test Security**

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

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

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**Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy**

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

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SECTION 3: TECHNICAL QUALITY – VALIDITY

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

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

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

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 3.2 – Validity Based on Linguistic Processes**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 3.3 – Validity Based on Internal Structure**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 3.4 – Validity Based on Relations to Other Variables**

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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

SECTION 4: TECHNICAL QUALITY – OTHER

Critical Element 4.1 – Reliability

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

### Critical Element 4.2 – Fairness and Accessibility

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><b>For all State ELP assessments,</b> assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition<sup>2</sup>).</p> <p><b>For ELP assessments,</b> the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis.</p>	<p><b>EL 3.1.1,</b> <i>A Quality Assurance Plan for ELPA21: Gathering the Evidence to Evaluate Validity, Reliability, Fairness, and Utility</i> (2013)</p> <p><b>EL 2.1.2</b> <i>ELPA21 Theory of Action</i> (2014), p. 5.</p> <p><b>EL 2.1.2.1</b> <i>ELPA21 Assessment Framework-Summative School Year 2015-2016</i>, pp. 14-15.</p> <p><b>EL2.2.1</b> <i>Item Development Plan</i> (2014), pp. 1-4.</p> <p><b>EL 2.3.1.2</b> <i>Accessibility and Accommodations Manual (2018-2019)</i></p>	<p>Peers identified evidence of steps to ensure the accessibility of the online assessment. However, peers could only locate a statement regarding item writer training and Universal Design (EL 2.2.1, p. 1-4), not the contents of such training. Peers request item writer training materials to better be able to determine how central this is in the test design.</p> <p>Regarding fairness, peers note that DIF statistics are provided for the online assessment, but could not locate them for Braille and paper versions. This is probably the result of small N sizes for those versions, but this should be indicated clearly.</p> <p>Peers noted that there is relatively less documentation of the development of Braille and paper versions of the test, as well as the extent to which accommodations do (or do not) make the test accessible.</p>
<p><b>Section 4.2 Summary Statement</b></p>		
<p><u>  </u> <input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Peers request item writer training materials to better be able to determine how central UDL is in the test design.</li> <li>• Further documentation that specifically addresses the fairness and accessibility of the ELP assessment for ELs with disabilities.</li> </ul>		

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 4.3 – Full Performance Continuum**

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

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



**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 4.5 – Multiple Assessment Forms**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 4.6 – Multiple Versions of an Assessment**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 4.7 – Technical Analysis and Ongoing Maintenance**

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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

SECTION 5: INCLUSION OF ALL STUDENTS

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students<sup>4</sup> with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs.</p> <ul style="list-style-type: none"> <li>• <b>For ELP assessments</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>		<p>N/A: State-specific (although the consortium provided some additional evidence)</p>
<p><b>Section 5.1 Summary Statement</b></p>		
<p>No additional evidence is required for the consortium.</p>		

<sup>4</sup> For ELP peer review, this refers to ELs with disabilities.

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 5.3 – Accommodations**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 5.4 – Monitoring Test Administration for Special Populations**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:</p> <ul style="list-style-type: none"> <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 ELP assessments, and AELPA.</li> </ul>	<p>Although the responsibility for monitoring test administration for special populations falls largely to the member States, the consortium provided some evidence in this critical element (but this is just general documentation produced by ELPA21 to ensure consistent administration procedures across States):</p> <p><b>EL 2.3.1.1a-f</b> <i>Assessment Guides (2016)</i>  <b>EL 2.3.1.4</b> <i>Test Coordinator's Manual (2016)</i>  <b>EL 2.3.2.5</b> <i>Student Testing Session (2016)</i>  <b>EL 2.3.2.9</b> <i>Workstation Preparation (2016)</i>  <b>EL 2.3.1.2</b> <i>Accessibility and Accommodations Manual (2018-2019)</i>, p. 3, Appendices C, D, E.  <b>EL 2.3.2.2</b> <i>Accessibility Features and Accommodations (2016)</i></p>	<p>State-provided evidence regarding monitoring test administration for special populations should be reviewed.</p>
<p><b>Section 5.4 Summary Statement</b></p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21

**SECTION 6: ELP ACHIEVEMENT STANDARDS AND REPORTING**

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><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 assessment even with appropriate accommodations.</li> </ul>		<p>N/A: State-specific</p>
<p><b>Section 6.1 Summary Statement</b></p>		
<p>N/A: State-specific evidence should be reviewed for this critical element.</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 6.2 – ELP Achievement Standards Setting**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 6.3 –Aligned ELP Achievement Standards**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

**Critical Element 6.4 – Reporting**

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

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR ELPA21**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<ul style="list-style-type: none"> <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>		
<b>Section 6.4 Summary Statement</b>		
<input checked="" type="checkbox"/> No additional evidence is required from the consortium. However, State-provided evidence should be reviewed for all aspects of this critical element.		

**SECTION 7: DOES NOT APPLY TO ELP ASSESSMENT PEER REVIEW**

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

U. S. DEPARTMENT OF EDUCATION

# Peer Review of State Assessment Systems

## April State ELP Assessment Peer Review Notes



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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

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

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

STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

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

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><b><i>For English language proficiency (ELP) standards:</i></b> The State formally adopted K-12 ELP standards for all ELs in public schools in the State.</p>	<ul style="list-style-type: none"> <li>• WV Evidence 01 - WVBE Policy 2417 (2014), Regulations and English Language Proficiency Standards for English Learners</li> <li>• WV Evidence 02 - Agenda from the Board meeting held on January 8, 2014 pp. 2-3, Section XII.B.5</li> <li>• WV Evidence 03 - Minutes from the Board meeting held on January 8, 2014 p. 4 Section XVI</li> <li>• WV Evidence 07 - WVBE Policy 2417, Regulations and English Language Proficiency</li> </ul>	<p>The state submitted evidence (WV Evidence 02, 03) showing the formal adoption of ELP standards, and a copy of the standards was also provided (WV Evidence 01).</p>
<p><b>Section 1.1 Summary Statement</b></p>		
<p><u>  </u> No additional evidence is required</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><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<sup>5</sup>). 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>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 01 - WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners</li> <li>• WV Evidence 04 - Agenda for the Spring 2014 Conference</li> <li>• WV Evidence 05 - Registration list for the Spring 2014 Conference</li> <li>• WV Evidence 06 - Implementation Plan Sample</li> <li>• WV Evidence 08 – Final Standards Revision Process Document (Page 4)</li> </ul>	<p>The ELP standards are constructed in functional terms, reflecting a communicative, language-in-use approach to English language ability (WV Evidence 01). Nevertheless, it is shown that the four domains of speaking, listening, reading, and writing are covered by these standards (p. 8-9) for every grade (p. 10 ff).</p> <p>The ELP standards address the different proficiency levels of ELs at every grade (p. 10 ff).</p> <p>There is some evidence of ELP standards being aligned to State academic content standards for language arts, mathematics, science, and social studies (WV Evidence 08), though a document with a more systematic presentation of these would be useful, especially to educators in WV schools who can see how language is implicated in the content areas, and can therefore support language learning in their content teaching.</p>
<p><b>Section 1.2 Summary Statement</b></p>		
<p><u>  </u><sub>x</sub> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Clearer and more detailed presentation of ELP standards alignment to content area standards.</li> </ul>		

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

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

### Critical Element 1.3 – Required Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State’s assessment system includes an <b>annual general and alternate ELP assessment</b> (aligned with State ELP standards) administered to:</p> <ul style="list-style-type: none"> <li>All ELs in grades K-12.</li> </ul>	<p>WV Evidence 07 -WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners §126-15-3.5                      WV Evidence 09 -WVBE Policy 2340, Measures of Academic Progress, §126-14-4.2, p.8                      WV Evidence 10 - Guidelines for Participation in West Virginia State Assessments p. 76                      WV Evidence 11 - PowerPoint from the CCSSO ELP Standards for ELs with Significant Cognitive Disabilities Meeting.                      WV Evidence 12 - Final version of the ELP Standards for ELs with Significant Cognitive Disabilities</p>	<p>The State’s evidence established that the State’s assessment system includes a general ELP assessment that should be administered to all ELs in grades K-12.</p> <p>The State acknowledges that it does not administer an alternate ELP assessment (AELPA) for ELs with significant cognitive disabilities who cannot take the general ELP assessment, even with accommodations. The State did submit evidence of a broad plan to develop and implement an AELPA. This brief plan is not sufficient to completely meet the requirements for this critical element.</p>
<p><b>Section 1.3 Summary Statement</b></p>		
<p><u>  x  </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>Evidence that the State’s assessment system includes an annual general and <b>alternate ELP assessment</b> (aligned with State ELP standards) administered to: All ELs, including ELs with the most significant cognitive disabilities.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 1.4 – Policies for Including All Students in Assessments**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<ul style="list-style-type: none"> <li>The State has policies that require the inclusion <i>of all public elementary and secondary ELs in the State’s ELP assessment</i>, including ELs with disabilities.</li> </ul>	<p>WV Evidence 07 -WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners §126-15-3.8 (pp. 2-3)                      WV Evidence 10 - Guidelines for Participation in West Virginia State Assessments p. 76</p>	<p>The State’s evidence established that the assessment system included all ELs in grades K-12, including ELs with disabilities. The exception (as noted in critical element 1.3) is that ELs with significant cognitive disabilities that cannot take the general ELP assessment do not have an alternate ELP assessment (AELPA) available.</p> <p>The State should provide evidence that is including these ELs in Statewide ELP assessment, either through the general ELP assessment or an AELPA (as noted in critical element 1.3).</p>
<p><b>Section 1.4 Summary Statement</b></p>		
<p><u>  x  </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>See critical element 1.3</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

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

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

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<p>If the State has developed or amended challenging <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> <li>• State leaders, including the Governor, members of the State legislature and State board of education (if the State has a State board of education).</li> <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>WV Evidence 01 -WVBE Policy 2417 (2014), Regulations and English Language Proficiency Standards for English Learners                      WV Evidence 02 - Agenda from the Board meeting held on January 8, 2014 pp. 2-3, Section XII.B.5                      WV Evidence 03 - Minutes from the Board meeting held on January 8, 2014 p. 4 Section XVI                      WV Evidence 07 -WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners §126-15-3.5                      WV Evidence 13 – Federal Register Listing of Federally Recognized Indian Tribes in the United States.                      WV Evidence 14 – Number of American Indian Students enrolled in WV Public Schools as of 1-16-2019</p>	<p>This critical does not apply, as the State adopted their ELP standards in 2014, prior to the passage of the ESSA.</p>
<p><b>Section 1.5 Summary Statement</b></p>		
<p>This critical does not apply, as the State adopted their ELP standards in 2014, prior to the passage of the ESSA.</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**SECTION 2: ASSESSMENT SYSTEM OPERATIONS**

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

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or 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 <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 <i>the State’s ELP standards</i>, and support the intended interpretations and uses of the results.</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 appropriate inclusion of the range of complexity found in the standards.</li> <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</li> </ul>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress. §126-14-2, Page 1, includes a statement of the purpose of the assessment program. §126-14-3, Page 7, includes the definition of West Virginia Measures of Academic Progress, which includes ELPA21.</li> <li>• WV Evidence 15 - ELPA21 Parent Letter</li> </ul>	<p>The state has provided evidence of the purposes of the assessments and the intended interpretations and uses of results (WV Evidence 09). However, from the consortium peer review, it appears that other aspects of this critical element need further evidence to be provided.</p>

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

<p>student is enrolled and uses that determination for all reporting.                  If the State administers a content assessment that includes portfolios, such assessment may be partially administered through a portfolio but may not be <i>entirely</i> administered through a portfolio.</p>		
<b>Section 2.1 Summary Statement</b>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 2.2 – Item Development**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State uses reasonable and technically sound procedures to develop and select items to: <ul style="list-style-type: none"> <li>• Assess student English language proficiency based on the <i>State's ELP standards</i> in terms of content and language processes.</li> </ul>	See consortium evidence, plus the following: <ul style="list-style-type: none"> <li>• WV Evidence 45 – Item Development Process Report - Page 72, Appendix B</li> </ul>	
<b>Section 2.2 Summary Statement</b>		
X__ The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 2.3 – Test Administration**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> <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 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;</li> <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>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340, Measures of Academic Progress,</li> <li>• WV Evidence 16 - September 14, 2018 District Test Coordinators Meeting Agenda, PowerPoint and Sign in Sheet</li> <li>• WV Evidence 17 - October 30, 2018 Federal Program Directors Meeting Agenda, PowerPoint and Participant List</li> <li>• WV Evidence 18 - December 4, 2018 District Test Coordinators Meeting Agenda, PowerPoint and Sign in Sheet</li> <li>• WV Evidence 19 - December 18, 2018 Webinar for District Title III Directors and ESL Teachers (ELPA21 TA) PowerPoint and Participants List</li> </ul>	<p>The State has policies and procedures for standardized test administration, including administration with accommodations (WV Evidence 09). That said, the evidence presented appears to be the legal documents establishing the policy, and it would be good to see the corresponding user-oriented documents operationalizing these policies.</p> <p>Educators attend face to face and virtual training sessions (WV Evidence 16, 18, 19) on assessment administration.</p> <p>Evidence relating to technology was provided (WV Evidence 19)</p>
<p><b>Section 2.3 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 2.4 – Monitoring Test Administration**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or 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 ELP assessments and the AELPA.</p>	<p>WV Evidence 16 - September 14, 2018 District Test Coordinators Meeting Agenda, PowerPoint and Sign in Sheet                      WV Evidence 17 - October 30, 2018 Federal Program Directors Meeting Agenda, PowerPoint and Participant List                      WV Evidence 18 - December 4, 2018 District Test Coordinators Meeting Agenda, PowerPoint and Sign in Sheet                      WV Evidence 19 - December 18, 2018 Webinar for District Title III Directors PowerPoint and Participants List                      WV Evidence 20 - Monitoring Guidelines for ELPA21 Summative Assessment which includes the ELPA21 Test Administration Monitoring Checklist                      WV Evidence 21 - ELPA21 Summative Security Incident Log                      WV Evidence 22 - WVS. 326 Form</p>	<p>The evidence submitted by the State described a thorough program of monitoring of the ELP assessment.</p> <p>The evidence also demonstrated that test monitoring of test administration is a combined SEA/LEA responsibility, and that irregularities are reported into a State reporting system.</p> <p>Examples of test observation protocols were provided. Overall, the evidence did sufficiently demonstrate a system of test administration monitoring for ELP test administrations.</p>
<p><b>Section 2.4 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> No additional evidence is required.</p>		

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

### Critical Element 2.5 – Test Security

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results through:</p> <ul style="list-style-type: none"> <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 the general ELP assessments and the AELPA.</li> </ul>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress, §126-14-7, pp. 15 -17, and §126-14-8, pp. 17 – 20.</li> <li>• WV Evidence 20 - Monitoring Guidelines for ELPA21 Summative Assessment which includes the ELPA21 Test Administration Monitoring Checklist</li> <li>• WV Evidence 21 - ELPA21 Summative Security Incident Log</li> <li>• WV Evidence 22 - WV Office of Assessment Investigative Database</li> <li>• WV Evidence 19 - December 18, 2018 Webinar for District Title III Directors and ESL Teachers (ELPA21 TA) PowerPoint and Participants List</li> </ul>	<p>The State has policies relating to the prevention of assessment irregularities, as well as reporting of and consequences of the same (WV Evidence 09, ch 7) and evidence is provided of a log of such incidents (WV Evidence 21). There are also rules around annual training for individuals involved in test administration. That said, the evidence presented appears to be the legal documents establishing the policy, and it would be good to see the corresponding user-oriented documents operationalizing these policies.</p> <p>There isn’t very much evidence relating to detection of test irregularities (WV Evidence 21 and 22). Peers would like to see additional evidence of how issues are identified and procedures to follow for including incidents in the log and database.</p> <p>The State has policies relating to remediation following test security incidents (WV Evidence 09, ch. 7).</p> <p>The State has policies on how to investigate test irregularities (WV Evidence 09, ch. 8) which are then documented in a database (WV Evidence 22).</p>
<p><b>Section 2.5 Summary Statement</b></p>		
<p><u>  </u> <u>  </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations</li> <li>• Criteria used and procedures followed governing inclusion of incidents in the security log and database.</li> <li>• User-oriented documentation relating to prevention of assessment irregularities, and detection, remediation, and investigation thereof.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or 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>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress, §126-14-7, pp. 15 -17 and §126-14-8, pp. 17 – 20.</li> <li>• WV Evidence 24 - Data Access and Management Guidance</li> <li>• WV Evidence 25 - WVBE Policy 4350, Procedures for the Collection, Maintenance, and Disclosure of Student Information</li> <li>• WV Evidence 26 - WV Code §18-2-5h, the Student Data Accessibility, Transparency, and Accountability Act</li> <li>• WV Evidence 27 - AIR – WV Student Data Agreement</li> <li>• WV Evidence 28 - ZoomWV/Edvantage Solution Security Document</li> <li>• WV Evidence 29 - WV Data Use Agreement Example</li> <li>• WV Evidence 30 – Screenshot of ZoomWV</li> <li>• WV Evidence 32 – CRESST WVDE Data Sharing Agreement</li> </ul>	<p>The State has policies and procedures in relation to data integrity (WV Evidence 09; 24; 25).</p> <p>The State presented evidence in the form of agreements with assessment vendors (WV Evidence 27) to protect the integrity of its test related data.</p> <p>Student-level assessment data is protected via agreements with vendors and users (WV Evidence 27; 29; 32) and via the use of secure systems (WV Evidence 28; 30).</p> <p>Personally identifiable information is protected through suppression policies when group size falls below a certain threshold (WV Evidence 25).</p>
<p><b>Section 2.6 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

SECTION 3: TECHNICAL QUALITY – VALIDITY

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate overall validity evidence for its assessments consistent with nationally recognized professional and technical testing standards. The State’s validity evidence includes evidence that:</p> <p><i>The State’s ELP assessments</i> measure the knowledge and skills specified in the State’s ELP standards, including:</p> <ul style="list-style-type: none"> <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</li> </ul>	<p>See consortium evidence.</p>	

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

determined in test design is appropriate for ELs who are students with the most significant cognitive disabilities.		
<b>Section 3.1 Summary Statement</b>		
_X_ The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none"><li>• See ELPA21 notes for Peer recommendations.</li></ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 3.2 – Validity Based on Linguistic Processes**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has documented adequate validity evidence that its assessments tap <i>the intended language processes</i> appropriate for each grade level/grade-band as represented in the State’s ELP standards.	See consortium evidence.	
<p><b>Section 3.2 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 3.3 – Validity Based on Internal Structure**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or 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 of the State’s <i>ELP standards</i> on which the intended interpretations and uses of results are based.</p>	<p>See consortium evidence.</p>	<p>While the ELPA21 test is structured along the lines of the four-skills approach (listening, reading, speaking, and writing), the state standards are structured according to 10 multi-modal approaches to language use. That being the case, there is a lack of alignment between the test and the state’s ELP standards.</p>
<p><b>Section 3.3 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> <li>• Plan and timeline for a test and score reporting that are according to the state’s ELP standards.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 3.4 – Validity Based on Relations to Other Variables**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has documented adequate validity evidence that the State’s assessment scores are related as expected with other variables.	See consortium evidence.	
<b>Section 3.4 Summary Statement</b>		
X__ The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

SECTION 4: TECHNICAL QUALITY – OTHER

**Critical Element 4.1 – Reliability**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards. If the State’s assessments are implemented in multiple States, measures of reliability for the assessment overall and each student group consistent with nationally recognized professional and technical testing standards, including:</p> <ul style="list-style-type: none"> <li>• Test reliability of the State’s assessments estimated for its student population (<i>for ELP assessments, including any domain or component sub-tests, as applicable</i>);</li> <li>• Overall and conditional standard error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable;</li> <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</li> </ul>	<p>See consortium evidence.</p>	

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
precise estimates of <i>an EL's English proficiency</i> .		
<b>Section 4.1 Summary Statement</b>		
X__ The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 4.2 – Fairness and Accessibility**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For all State ELP assessments,</i> assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition<sup>6</sup>).</p> <p><i>For ELP assessments,</i> the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis.</p>	<p>See consortium evidence.</p>	
<p><b>Section 4.2 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

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

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**Critical Element 4.3 – Full Performance Continuum**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for <i>ELP assessments</i> , including performance for EL students with high and low levels of English language proficiency and with different proficiency profiles across the domains of speaking, listening, reading, and writing.	See consortium evidence.	
<p><b>Section 4.3 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 4.4 – Scoring**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has established and documented standardized scoring procedures and protocols for its assessments (and <i>for ELP assessments, any applicable domain or component sub-tests</i>) that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s <i>ELP standards</i>.</p> <p><i>For ELP assessments</i>, if an English learner has a disability that precludes assessment of the student in one or more of the required domains/components (listening, speaking, reading, and writing) such that there are no appropriate accommodations for the affected domain(s)/component(s), the State must provide a description of how it will ensure that the student is assessed in the remaining domain(s)/component(s) in which it is possible to assess the student, and a description of how this will occur.<sup>7</sup></p>	<p>See consortium evidence.</p>	<p>While the ELPA21 test reports scores along the lines of the four-skills approach (listening, reading, speaking, and writing), the state standards are structured according to 10 multi-modal approaches to language use. That being the case, there is a lack of alignment between the test and the state’s ELP standards.</p>
<p><b>Section 4.4 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> <li>• Plan and timeline for score reporting that is according to the state’s ELP standards.</li> </ul>		

<sup>7</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) )

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 4.5 – Multiple Assessment Forms**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
If the State administers multiple forms of <i>ELP assessments</i> within or across grade-spans, ELP levels, or school years, the State ensures that all forms adequately represent the State’s <i>ELP standards</i> and yield consistent score interpretations such that the forms are comparable within and across settings.	See consortium evidence.	
<p><b>Section 4.4 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 4.6 – Multiple Versions of an Assessment**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers any of its assessments in multiple versions within a subject area (e.g., online versus paper-based delivery), grade level, or school year, the State:</p> <ul style="list-style-type: none"> <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>See consortium evidence.</p>	
<p><b>Section 4.6 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 4.7 – Technical Analysis and Ongoing Maintenance**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
The State: <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>	See consortium evidence.	The state did not provide evidence that the technical manual is available on the state’s website.
<p><b>Section 4.7 Summary Statement</b></p>		
<p>X__ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> <li>• Evidence that the technical manual is available on the state’s web site.</li> </ul>		

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

### SECTION 5: INCLUSION OF ALL STUDENTS

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students<sup>8</sup> with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs.</p> <ul style="list-style-type: none"> <li>• <b>For ELP assessments</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>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress, §126-14-4.2.a, p.8 and §126-14-5.6 and 5.6a, p. 13.</li> <li>• WV Evidence 07 - WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners, §126-15-3.8, p.3.</li> <li>• WV Evidence 10 - Guidelines for Participation in West Virginia State Assessments, p.76</li> <li>• WV Evidence 31 - Domain Exemption Guidance Document Draft</li> <li>• WV Evidence 17 - October 30, 2018 Federal Program Directors Meeting Agenda, PowerPoint and Participant List</li> </ul>	<p>The State has procedures to ensure the inclusion of all ELs in the assessment (WV Evidence 09; 10), and the procedures do stipulate that decisions regarding students with disabilities are made in consultation with the IEP team.</p> <p>The State’s narrative indicates that there are no students who require domain exemption, but is working on a guidance document (WV Evidence 31) on how to proceed should this arise. Evidence should be provided of how, up to this point, the state has determined that no students require domain exemptions.</p>
<p><b>Section 5.1 Summary Statement</b></p>		

<sup>8</sup> For ELP peer review, this refers to ELs with disabilities.

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Guidelines, criteria, and policy as to how LEAs have made determinations regarding domain exemptions up to this point.</li> <li>• Plan and timeline for implementation of the guidance regarding identifying students who require a domain exemption.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> <li>Note: This critical element does not apply to ELP assessments, as the requirements only apply to the inclusion of ELs in <b>academic assessments</b>.</li> </ul>	N/A	
<b>Section 5.2 Summary Statement</b>		
<p>___ No additional evidence is required or</p> <p>___ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• [list additional evidence needed w/brief rationale]</li> </ul>		

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

### Critical Element 5.3 – Accommodations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State makes available appropriate accommodations and ensures that its assessments are accessible to students with disabilities and ELs, including ELs with disabilities. Specifically, the State:</p> <ul style="list-style-type: none"> <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>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 10 - Guidelines for Participation in West Virginia State Assessments, pp.76 and 91</li> <li>• WV Evidence 33 - WVBE Policy 2419, Regulations for the Education of Students with Exceptionalities, p.55</li> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress, §126-14-4.3 p. 9, §126-14-5.6, p.13 and Appendix I</li> <li>• WV Evidence 22 - WVS.326 form</li> <li>• WV Evidence 34 - Screenshot of WVEIS EL Screen</li> <li>• WV Evidence 17 - October 30, 2018 Federal Program Directors Meeting Agenda, PowerPoint and Participant List</li> </ul>	<p>The State makes available appropriate accommodations for ELs (WV Evidence 10; 33, p. 55).</p> <p>The evidence (WV Evidence 22 [sic] (peers think that this evidence should be numbered Evidence 23); WV Evidence 34) shows a wide range of accommodations that could meet many learners’ needs without altering the construct being assessed, and training (WV Evidence 17) helps to ensure that appropriate accommodations are selected, thus allowing meaningful interpretations to be drawn from the results.</p> <p>It is unclear whether there are further accommodations available for those who need accommodations beyond those routinely allowed, though it must be said that the routine accommodations (WV Evidence 22 [sic]) are already quite extensive.</p> <p>The extensive types of accommodations available (WV Evidence 22 [sic]) ensures that students with disabilities have the opportunity to participate in the assessment and benefit from participation in it.</p>
<p><b>Section 5.3 Summary Statement</b></p>		
<p><u>x</u> See ELPA21 notes for Peer recommendations on additional evidence required.</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 5.4 – Monitoring Test Administration for Special Populations**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:</p> <ul style="list-style-type: none"> <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 ELP assessments, and AELPA.</li> </ul>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 07 - WVBE Policy 2417, Regulations and English Language Proficiency Standards for English Learners, §126-15-3.5, and §126-15-3.6, p. 2</li> <li>• WV Evidence 09 - WVBE Policy 2340, West Virginia Measures of Academic Progress, §126-14-3.1, p. 1; §126-14-5 pp.10 – 13, §126-14-3.57, p.7; §126-14-4.2 p. 8; §126-14-4.3 p. 9, §126-14-5.6, p.13 and Appendices A-I, pp.21-36</li> <li>• WV Evidence 10 - Guidelines for Participation in West Virginia State Assessments, Sections I, II, III, V, VI, VII and Appendices K, M and N.</li> <li>• WV Evidence 33 - WVBE Policy 2419, Regulations for the Education of Students with Exceptionalities, pp. 55 – 56.</li> <li>• WV Evidence 35 - Evidence Regarding Monitoring Test Administration for Special Populations for West Virginia State Assessments</li> <li>• WV Evidence 16 - District Test Coordinators Meeting Agenda September 14 2018</li> <li>• WV Evidence 36 - WVEIS Directions for Administrators to Verify Accommodations</li> <li>• WV Evidence 37 - Section 504 Record</li> <li>• WV Evidence 38 - Navigating the Online IEP Accommodations Section</li> <li>• WV Evidence 34 - Screenshot of EL Plan</li> </ul>	<p>There is evidence that monitoring takes place for points under this critical element (WV Evidence 35), including some that should appear in the consortium submission (WV Evidence 16). It appears however that most states interpret monitoring as including school visits to verify the delivery of these assessments, but that should also include monitoring for fidelity to assessment administration guidelines.</p> <p>The state did not provide evidence that schools are systematically sampled for monitoring, or whether the volume and frequency of monitoring is adequate, and how they plan to use the evidence from monitoring visits to improve the implementation of the assessment.</p>
<p><b>Section 5.4 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Provide evidence of in-person monitoring that assessment is being delivered in accordance with stated policies and procedures.</li> </ul>		

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

## STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> <li>• Plan and timeline for systematically sampling schools to ensure adequate monitoring, and a plan and timeline for use of the evidence from monitoring visits to improve the implementation of the assessment.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**SECTION 6: ELP ACHIEVEMENT STANDARDS AND REPORTING**

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><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 assessment even with appropriate accommodations.</li> </ul>	<ul style="list-style-type: none"> <li>• WV Evidence 01 - WVBE Policy 2417 (2014), Regulations and English Language Proficiency Standards for English Learners</li> <li>• WV Evidence 02 - Agenda from the Board meeting held on January 8, 2014 pp. 2-3, Section XII.B.5</li> <li>• WV Evidence 03 - Minutes from the Board meeting held on January 8, 2014 p. 4 Section XVI</li> <li>• WV Evidence 39 - ELPA21 Achievement Level Descriptors</li> </ul>	<p>The State has adopted ELP achievement standards for different proficiency levels of ELs (WV Evidence 01, 02, 03, 39).</p> <p>.</p>
<p><b>Section 6.1 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 6.2 – ELP Achievement Standards Setting**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State used a technically sound method and process that involved panelists with appropriate experience and expertise for setting:</p> <ul style="list-style-type: none"> <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> <li>•</li> </ul>	<p>See consortium evidence.</p>	
<p><b>Section 6.2 Summary Statement</b></p>		
<p><u>  X  </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• See ELPA21 notes for Peer recommendations.</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 6.3 –Aligned ELP Achievement Standards**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><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>See consortium evidence.</p>	<p>While the ELPA21 test reports scores along the lines of the four-skills approach (listening, reading, speaking, and writing), the state standards are structured according to 10 multi-modal approaches to language use. That being the case, there is a lack of alignment between score reporting on the test and the state’s ELP standards, and its ELP performance level descriptors.</p>
<p><b>Section 6.3 Summary Statement</b></p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Plan and timeline for reporting scores in terms of the state’s 10 ELP standards</li> </ul>		

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

**Critical Element 6.4 – Reporting**

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State reports its assessment results for all students assessed, and the reporting facilitates timely, appropriate, credible, and defensible interpretations and uses of those results by parents, educators, State officials, policymakers and other stakeholders, and the public.</p> <p>The State reports to the public its assessment results on <i>English language proficiency for all ELs including the number and percentage of ELs attaining ELP</i>.</p> <p>For the <i>ELP assessment</i>, the State provides coherent and timely information about each student’s attainment of the State’s ELP standards to parents that:</p> <ul style="list-style-type: none"> <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> </ul>	<p>See consortium evidence, plus the following:</p> <ul style="list-style-type: none"> <li>• WV Evidence 09 - WVBE Policy 2340 West Virginia Measures of Academic Progress §126-14-6.1, p. 13</li> <li>• WV Evidence 30 – Screenshot of ZoomWV</li> <li>• WV Evidence 40 - Scorecard Screenshot</li> <li>• WV Evidence 41 - Sample Parent Report for ELPA21 Results</li> <li>• WV Evidence 42 - Translated Sample Parent Reports in Arabic, Chinese, Marshallese, Vietnamese, Spanish, Russian</li> <li>• WV Evidence 43 - Superintendent Results Letter to Parents</li> <li>• WV Evidence 44 - Translation letters</li> </ul>	<p>The State reports some assessment results to the general public (WV Evidence 40). However, this does not include information such as the number and percentage of ELs attaining ELP, as required under Critical Element 6.4.</p> <p>In reports to parents, scores are reported in terms of the State’s grade levels, though these are in terms of the four skills rather than in terms of the State’s 10 ELP standards (WV Evidence 41).</p> <p>The reports for parents are in an understandable and uniform format (WV Evidence 41).</p> <p>The reports for parents are translated into a number of the most used home languages in the State (WV Evidence 42).</p> <p>Peers were unable to locate information regarding reports for parents who might have a disability. Similarly, peers were unable to locate information regarding the time when the information is made available to users, which makes it difficult to evaluate the timeliness of these reports.</p>

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

**STATE ASSESSMENT PEER REVIEW NOTES FOR WEST VIRGINIA**

<b>Critical Element</b>	<b>Evidence (Record document and page # for future reference)</b>	<b>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</b>
<ul style="list-style-type: none"> <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>		
<b>Section 6.4 Summary Statement</b>		
<p><u>  x  </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> <li>• Plan and timeline for improving public reporting of assessment outcomes, including the number and percentage of ELs attaining ELP.</li> <li>• Plan and timeline for reporting scores according to the State’s ELP standards, as this should be the case, and could have a positive impact on teaching and learning for ELs.</li> <li>• Evidence regarding the elapsed time before reports become available to various users, to enable evaluation of timeliness of results reporting.</li> <li>• Evidence regarding alternative/accessible score reports for users with disabilities.</li> </ul>		

**SECTION 7: DOES NOT APPLY TO ELP ASSESSMENT PEER REVIEW**

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