



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 7, 2021

The Honorable Kirsten Baesler
Superintendent of Public Instruction
North Dakota Department of Public Instruction
600 East Boulevard Avenue, Department 201
Bismarck, ND 58505

Dear Superintendent Baesler:

Thank you for your participation in the U.S. Department of Education's (the Department) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA). I appreciate the efforts of the North Dakota Department of Public Instruction (NDDPI) to prepare for the peer review, which occurred in March 2021. Specifically, NDDPI submitted additional evidence regarding the North Dakota State Assessment (NDSA) for grades 3-8 and grade 10 reading/language arts and mathematics. The State also submitted additional evidence for the ACT, which NDDPI requested to permit interested local educational agencies (LEAs) to administer as a locally selected, nationally recognized high school academic assessment in reading/language arts and mathematics in place of the statewide high school assessments.

State assessment systems provide essential information that States, districts, principals and teachers can use to identify the academic needs of students, target resources and supports toward students who need them most, evaluate school and program effectiveness and close achievement gaps among students. A high-quality assessment system also provides useful information to parents about their children's advancement against and achievement of grade-level standards. The Department's peer review of State assessment systems is designed to provide feedback to States to support the development and administration of high-quality assessments.

External peer reviewers and Department staff carefully evaluated NDDPI's submission and the Department found, based on the evidence received, that the components of your assessment system meet many, but not all, of the statutory and regulatory requirements of sections 1111(b)(1) and (2) 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:

- Reading/language arts and mathematics general assessments in grades 3-8 (NDSA):
Substantially meets requirements of the ESEA.
- Reading/language arts and mathematics general assessments in high school (NDSA):
Substantially meets requirements of the ESEA.
- ACT as locally selected, nationally recognized high school academic assessments in R/LA and mathematics: **Substantially meets the requirements of the ESEA.**

Substantially meets requirements means that these components meet most of the requirements of the statute and regulations but some additional information is required. The specific list of items required

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

for NDDPI to submit is enclosed with this letter. Within 30 days of receipt of this letter, NDDPI must provide to the Department a plan and timeline by which it will submit the additional documentation. If adequate progress is not made in providing this information, the Department may take additional action.

In addition, 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: OESE.Assessment@ed.gov.

Sincerely,

/s/

Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary

Enclosures

cc: Stanley Schauer Jr., NDDPI Director of Assessment

Critical Elements Where Additional Evidence is Needed for the North Dakota State Assessment (NDSA) and the ACT for use as a locally selected, nationally recognized high school assessment

Critical element	Additional Evidence Needed
2.1 – Test Design and Development	<p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence that the ACT test design measures the depth and breadth of the State’s grade-level academic content standards, specifically: <ul style="list-style-type: none"> ○ Evidence that ACT is sufficiently aligned to the North Dakota academic content standards (e.g., evidence that the State has taken steps to improve alignment issues identified in the alignment evaluation).
2.4 – Monitoring Test Administration	<p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence that demonstrates that the State has monitored the administration of the ACT assessments (e.g., a summary report, or a redacted completed monitoring form, or a follow up letter to a district following a monitoring visit).
3.1 – Overall Validity, including Validity Based on Content	<p>For the NDSA:</p> <ul style="list-style-type: none"> • Evidence of a timeline to implement specific steps needed to address issues identified in the alignment studies in order to document adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content, balance of content, and cognitive complexity. <p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence of adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of cognitive complexity, as identified in the independent alignment study.
4.7 – Technical Analysis and Ongoing Maintenance	<p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence of how adequate technical quality is made available to the public on the State’s website.
5.2 – Procedures for Including ELs	<p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence to show that the following English learner (EL) accommodations (allowed on NSDA) are also allowed on the ACT if needed: Spanish item translations in mathematics; read aloud items and stimuli; thesaurus and an English dictionary.
5.3 – Accommodations	<p>For the ACT:</p> <ul style="list-style-type: none"> • Evidence that demonstrates that that accommodations for ACT do not deny ELs the opportunity to participate in the assessment and any benefits from participation in the assessment. Evidence requested in critical element 5.2 above will also support this critical element.

North Dakota
U. S. Department of Education
Peer Review of State Assessment Systems

**July-August 2020 State 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 [North Dakota]

SECTION 1: STATEWIDE SYSTEM OF STANDARDS AND ASSESSMENTS

Critical Element 1.1 – State Adoption of Academic Content Standards for All Students

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><u>For academic content standards:</u> The State formally adopted challenging academic content standards for all students in reading/language arts, mathematics and science and applies its academic content standards to all public schools and public school students in the State.</p>		<p>No additional evidence is required.</p>
<p>Section 1.1 Summary Statement</p>		
<p>Met in prior peer 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 [North Dakota]

Critical Element 1.2 – Challenging Academic Content Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><u>For academic content standards:</u> The State’s challenging academic content standards in reading/language arts, mathematics, and science are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.</p>		<p>No additional evidence is required.</p>
<p>Section 1.2 Summary Statement</p>		
<p>Met in prior peer 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 [North Dakota]

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 annual general and alternate assessments aligned with <u>grade-level academic achievement standards</u> or alternate academic achievement standards in:</p> <ul style="list-style-type: none"> • Reading/language arts (R/LA) and mathematics in each of grades 3-8 and at least once in high school (grades 9-12); • Science at least once in each of three grade spans (3-5, 6-9 and 10-12). <p>AND</p> <p>The State’s <u>academic content assessments</u> must be the same assessments administered to all students in the tested grades, with the following exceptions:</p> <ul style="list-style-type: none"> • Students with the most significant cognitive disabilities may take an alternate assessment aligned with alternate academic achievement standards. • A State may permit an LEA to administer a nationally recognized high school academic assessment in lieu of the State high school assessment if certain conditions are met. • A State that administers an end-of-course high school mathematics assessment may exempt an 8th grade student from the mathematics assessment typically administered in 	<p>n/a</p>	<p>No 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 [North Dakota]

<p> eighth grade and allow the student to take the State end-of-course mathematics test instead. <ul style="list-style-type: none"> • The Department may have approved the State, under the Innovative Assessment Demonstration Authority, to permit students in some LEAs to participate in a demonstration assessment system in lieu of participating in the State assessment. </p>		
<p>Section 1.3 Summary Statement</p>		
<p>Met in prior peer 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 [North Dakota]

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
<p>The State requires the inclusion of all public elementary and secondary school students in its assessment system and clearly and consistently communicates this requirement to districts and schools.</p> <ul style="list-style-type: none"> • For students with disabilities, policies state that all students with disabilities in the State, including those children with disabilities publicly placed in private schools as a means of providing special education and related services, must be included in the assessment system; • For ELs: <ul style="list-style-type: none"> ○ Policies state that all ELs must be included in all aspects of the content assessment system, unless the State has chosen the statutory option for recently arrived ELs under which such ELs are exempt from one administration of its reading/ language arts assessment. ○ If a State has developed native language assessments for ELs in R/LA, ELs must be assessed in R/LA in English if they have been enrolled in U.S. schools for three or more consecutive years, except, if a district determines, on a case-by-case basis, that native language assessments would yield more accurate and reliable information, the district may assess a student with native 	<p>n/a</p>	<p>Met in prior peer 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 [North Dakota]

<p>language assessments for a period not to exceed two additional consecutive years.</p> <ul style="list-style-type: none"> ○ If the State uses the flexibility for Native American language schools and programs: (1) the State provides the content assessment in the Native American language to all students in the school or program; (2) the State submits such content assessment for peer review as part of its State assessment system; and (3) the State continues to provide ELP assessments and services for ELs as required by law. The State must assess in English the students' achievement in R/LA in high school. 		
<p>Section 1.4 Summary Statement</p>		
<p>Met in prior peer 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 [North Dakota]

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

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

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

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 <u>the depth and breadth of the State’s academic content standards</u> for the grade that is being assessed and includes:</p> <ul style="list-style-type: none"> • Statement(s) of the purposes of the assessments and the intended interpretations and uses of results; • Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of <u>the State’s grade-level academic content standards</u> and support the intended interpretations and uses of the results. • Processes to ensure that each academic assessment is tailored to the knowledge and skills included in <u>the State’s academic content standards</u>, reflects appropriate inclusion of challenging content, and requires complex demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills). • 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. 	<p>NDSA Evidence Requested: Evidence that test blueprints describe the structure of the assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of the State’s grade-level academic content standards and support the intended interpretations and uses of the results (e.g., details of the number of test items assessed by content standard and depth of knowledge (DOK) classification within content standards).</p> <p>NDSA Evidence Submitted:</p> <ul style="list-style-type: none"> • NDSA R001 - EdMetric Memo to NDDPI <ul style="list-style-type: none"> o Documents findings of DOK review by content experts following HumRRO alignment study. NDSA R002 – ND Approved DOK for ELA & Math Assessed Standards <ul style="list-style-type: none"> o Documents that DOK levels of content standards were formally adopted by NDDPI. • NDSA R003a NDSA ELA Blueprints and NDSA R003b– NDSA Mathematics Blueprints <ul style="list-style-type: none"> o (Appendices A and B of NDSA Technical Report 2018-2019, Volume 2) - Updated NDSA blueprints specify standards assessed by reporting category, portion of the test, and range of DOK for each reporting category. Additionally, blueprints summarize the percentage of items per DOK rating for each grade-range and content area. • NDSA R004a – NDSA ELA Reporting Categories and • NDSA R004b – NDSA Mathematics Reporting Categories <ul style="list-style-type: none"> o (Appendices C and D of NDSA Technical Report 2018-2019, Volume 2) Document detailed distribution 	<p>NDSA: R003a and R0003b: Test blueprints were updated to include the intended percentage of items for each reporting category by content standard and the expected DOK targets for each content standard, as well as the expected overall DOK targets for the grade level/content area. The DOK levels by individual North Dakota content standard were not included in the documents.</p> <p>It is suggested that the State include the DOK level for each individual North Dakota content standard in the blueprints.</p> <p>The development of additional higher-level DOK items is recommended.</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 [North Dakota]

<ul style="list-style-type: none"> • If the State administers a computer-adaptive assessment, it makes proficiency determinations with respect to the grade in which the student is enrolled and uses that determination for all reporting. • 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>of items across reporting categories within blueprint constraints.</p> <ul style="list-style-type: none"> • NDSA R005 – NDSA Technical Report 2018-2019, Volume 2 <ul style="list-style-type: none"> o pp. 36-41 – Describe test construction process based on blueprint specifications to ensure tests span the breadth and depth of the content standards. (pdf pp. 41-47) o Table 22 and Table 23 – Show the observed proportion of test items compared to blueprint requirements by reporting category for each grade level and content area. o Table 24 - Shows the expected proportion of items at each DOK level by grade level and content area (blueprint requirement). o Table 25 and Table 28 – Show the observed proportion of items at each DOK level by grade level and content area on the 2019 tests. <p>ACT Evidence Requested: Evidence that the ACT is aligned to the North Dakota academic content standards (e.g., an alignment study of the ACT with the State’s academic content standards).</p> <p>Evidence of a test design for the ACT that includes a balance of depth of knowledge (DOK) across and within reporting categories that is representative of the cognitive demand found within the State’s academic content standards.</p> <p>ACT Evidence Submitted:</p> <ul style="list-style-type: none"> • NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> o Pages 9-16 – Discusses alignment of ACT items to the North Dakota content standards as operationalized by the ACT blueprint o Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint 	<p>ACT The State followed the TAC recommendation to investigate the item alignment between the NDSA blueprints and the ACT blueprint.</p> <p>The subsequent ACS report points out some areas of weakness in the alignment and where there were distribution issues. The DOK levels for the NDSA and the ACT were similar, with the ACT being somewhat lower in terms of DOK.</p> <p>It is recommended that the State continue to investigate strategies to improve alignment between the NDSA and the ACT through advice from the State TAC.</p>
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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 [North Dakota]

	<ul style="list-style-type: none"> • NDACT R020 - Camara, etal_Validity Argument <ul style="list-style-type: none"> o Page 2-3 - Provides a validity argument in support of college admissions tests for federal accountability • NDACT R027 - DOK Adoption to Standards Memo • NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> o Pages 19-20 – Provides the ACT test blueprint for ELA and math including reporting o Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint 	
Section 2.1 Summary Statement		
<input checked="" type="checkbox"/> No additional evidence is required		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 2.2 – Item Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State uses reasonable and technically sound procedures to develop and select items to: <ul style="list-style-type: none"> • Assess student achievement based on the State’s academic content standards in terms of content and cognitive process, including higher-order thinking skills. 	n/a	Met in prior peer review
Section 2.2 Summary Statement		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 2.3 – Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> • Has established and communicates to educators clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations; • Has established procedures to ensure that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional support personnel, and other appropriate staff receive necessary training to administer assessments and know how to administer assessments, including, as necessary, alternate assessments, and know how to make use of appropriate accommodations during assessments for all students with disabilities; • If the State administers technology-based assessments, the State has defined technology and other related requirements, included technology-based test administration in its standardized procedures for test administration, and established contingency plans to address possible technology challenges during test administration. 	<p>Met in prior peer review</p>	<p>Met in prior peer review</p>
<p>Section 2.3 Summary Statement</p>		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 2.4 – Monitoring Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. Monitoring of test administration should be demonstrated for all assessments in the State system: the general academic assessments and the AA-AAAS.</p>	<p>NDSA Met in prior peer review</p> <p>ACT NDACT R023- ND USDE Response Letter 5-22-19 NDACT R001 - ACT Test Site Monitoring Checklist NDACT R002 – ACT Monitoring Staff Training NDACT R003 – ACT Test Monitoring Process NDACT R004 – Compliance Alerts-Spring 2019 NDACT R005 – District Monitoring Visits</p>	<p>NDSA Met in prior peer review</p> <p>ACT The State provided evidence that it has procedures in place to monitor administration of the ACT. However, the State did not demonstrate that any monitoring had occurred. For example, while the State provided a schedule indicating monitoring visits for several districts, there was no direct evidence (e.g., a summary report, or a redacted completed monitoring form, or a follow up letter to a district following a monitoring visit) that the monitoring of the test administration of the ACT had occurred.</p>
<p>Section 2.4 Summary Statement</p>		
<p>Nor NDSA, No additional evidence is required, CE met in prior peer review</p> <p>For the ACT, the following additional evidence is required:</p> <ul style="list-style-type: none"> Evidence that demonstrates that the State has monitored the administration of the ACT assessments. 		

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 [North Dakota]

Critical Element 2.5 – Test Security

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results through:</p> <ul style="list-style-type: none"> • Prevention of any assessment irregularities, including maintaining the security of test materials (both during test development and at time of test administration), proper test preparation guidelines and administration procedures, incident-reporting procedures, consequences for confirmed violations of test security, and requirements for annual training at the district and school levels for all individuals involved in test administration; • Detection of test irregularities; • Remediation following any test security incidents involving any of the State’s assessments; • Investigation of alleged or factual test irregularities. • Application of test security procedures to all assessments in the State system: the general academic assessments and the AA-AAAS. 	<p>Met in prior peer review</p>	<p>Met in prior peer review</p>
<p>Section 2.5 Summary Statement</p>		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 2.6 – Systems for Protecting Data Integrity and Privacy

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has policies and procedures in place to protect the integrity and confidentiality of its test materials, test-related data, and personally identifiable information, specifically:</p> <ul style="list-style-type: none"> • To protect the integrity of its test-related data in test administration, scoring, storage and use of results; • To secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools; • To protect personally identifiable information about any individual student in reporting, including defining the minimum number of students necessary to allow reporting of scores for all students and student groups. 	<p>Met in prior peer review</p>	<p>Met in prior peer review</p>
<p>Section 2.6 Summary Statement</p>		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

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><u>The State’s academic assessments</u> measure the knowledge and skills specified in the State’s academic content standards, including:</p> <ul style="list-style-type: none"> • Documentation of adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content (i.e., knowledge and process), balance of content, and cognitive complexity; • Documentation that the assessments address the depth and breadth of the content standards; • If the State has adopted alternate academic achievement standards and administers alternate assessments aligned with those standards, the assessments show adequate alignment to the State’s academic content standards for the grade in which the student is enrolled in terms of content match (i.e., no unrelated content) and the breadth of content 	<p>NDSA Evidence Requested: A plan and timeline describing specific steps the State will take (or has taken) to address issues identified in the alignment studies in order to document adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content, balance of content, and cognitive complexity.</p> <p>NDSA Evidence Submitted: NDSA R005 - NDSA Technical Report 2018-2019, Volume 2 o pp. 24-36 (Section 3.1) – Shows the current composition of the item bank. (pdf pp. 29-39) o p. 36 – Describes AIR’s strategy for pool evaluation and replenishment. (pdf p. 41) o pp. 36-49 – Describes specific steps in test construction, including updated blueprints and test specifications to ensure alignment. (pdf pp. 41-54) o pp. 19-20 (Section 2.5.1) – Describes processes by which states can submit requests for edits to the item bank (e.g., alignment updates). (pdf pp. 24-25).</p> <p>ACT Evidence Requested: The evidence provided for critical element 2.1 will also address this critical element.</p> <p>Evidence that all standards are included in the assessment system, including any standards that are excluded because they are not reading/language arts “Anchor Standards” or “standards for mathematical practice.”</p>	<p>NDSA: Refer to the evidence submitted under Critical Element 2.1.</p> <p>The State seems to have addressed previously identified issues by updating blueprints and test specifications.</p> <p>Volume 2 of Technical Report does not describe a timeline, but includes steps that the State can take to change items (pgs. 19-20).</p> <p>A timeline with date ranges, in addition to the steps specified, is needed to address issues identified in the alignment studies to document adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content, balance of content, and cognitive complexity.</p> <p>ACT See comments under Critical Element 2.1.</p> <p>It is recommended that the State augment the ACT with items that improve the content match.</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 [North Dakota]

<p>and cognitive complexity determined in test design to be appropriate for students with the most significant cognitive disabilities.</p>	<p>ACT Evidence Submitted:</p> <ul style="list-style-type: none"> • NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> o Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint • NDACT R020 - Camara, etal_Validity Argument <ul style="list-style-type: none"> o Page 2-3 - Provides a validity argument in support of college admissions tests for federal accountability 	
<p>Section 3.1 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • An NDSA timeline with date ranges, in addition to the steps specified, to address issues identified in the alignment studies to document adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content, balance of content, and cognitive complexity. 		

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 [North Dakota]

Critical Element 3.2 – Validity Based on Cognitive Processes

Critical Element	Evidence (Record document and page # for future reference)	
<p>The State has documented adequate validity evidence that its assessments tap: <u>the intended cognitive processes</u> appropriate for each grade level as represented in the State’s academic content standards.</p>	<p>ACT Evidence Requested: Evidence of validity that the ACT assessment taps the intended cognitive processes as represented in the State’s content standards (e.g., think aloud labs, item analysis protocols, and surveys following test items).</p> <p>ACT Evidence Submitted:</p> <ul style="list-style-type: none"> • NDACT R007– ACT CogLab_June19.pdf <ul style="list-style-type: none"> o Pages 4-7 – Provides the study design o Pages 7-15 - Provides evidence that the ACT assessments reach the intended cognitive processes in ELA o Pages 16-25 – Provides evidence in Mathematics • NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> o Page 3 – Discusses cognitive processing by conceptual category 	<p>ACT: Cognitive Lab results in NDACT R007 provide evidence of validity that the ACT assessments tap the intended cognitive processes as represented in the State’s content standards.</p> <p>In the future, it is suggested that the Cognitive Labs be conducted using students representative of North Dakota.</p>
<p>Section 3.2 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

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 <u>academic content standards</u>.</p>	<p>ACT Evidence Requested: Evidence of internal structure validity of the ACT writing test (e.g., correlations among domain scores).</p> <p>ACT Evidence Submitted: NDACT R008– ACT_Technical_Manual.pdf o Page 7.7 – Provides correlations among the ACT Test Scores o Pages 7.8-7.9 – Presents correlation statistics of the ACT writing and writing domain scores</p> <ul style="list-style-type: none"> • NDACT R026 - Correlation Matrix among Writing Reporting Categories 	<p>ACT: Evidence of acceptable internal structure validity is provided.</p> <p>No further evidence is required.</p>
<p>Section 3.3 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

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>NDSA Evidence Requested: Adequate validity evidence that the State’s assessment scores are related as expected with other variables (e.g., prior Smarter Balanced scores, class grades, PSATs, etc.).</p> <p>NDSA Submitted:</p> <ul style="list-style-type: none"> • NDSA R006 - Investigating Evidence for the Comparability of the Grade 10 North Dakota State Assessment and the Grade 11 North Dakota ACT <ul style="list-style-type: none"> o Documents that the results of the Grade 10 NDSA and North Dakota’s administration of the ACT to Grade 11 students are related as expected. o p. 3 – Discusses alignment of the ACT and NDSA to the North Dakota content standards as operationalized through the NDSA blueprint. o pp. 5-6 – Discusses a comparison of the reliability estimates for both assessments. o pp. 7-8 – Discusses the relationship between the scores on both tests. o pp. 8-9 – Discusses comparability of performance expectations on both tests. o p. 10 – Concludes that the study provides supporting evidence that the NDSA and ACT are comparable in their measure of student performance relative to the North Dakota content standards. • NDSA R007 - NDSA Technical Report 2018-2019, Volume 4 <ul style="list-style-type: none"> o p. 52 - Section 5.5 – Discusses the relationship of test scores to external variables. o Table 34 and Table 35 show correlations between Spring 2017 Smarter Balanced scores and Spring 2018 NDSA scores by grade level and content area. 	<p>NDSA The State has provided adequate validity evidence that the State’s assessment scores are related as expected with other variables.</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 [North Dakota]

Section 3.4 Summary Statement

<input checked="" type="checkbox"/> No additional evidence is required
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STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

SECTION 4: TECHNICAL QUALITY – OTHER

Critical Element 4.1 – Reliability

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has documented adequate reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards. If the State’s assessments are implemented in multiple States, measures of reliability for the assessment overall and each student group consistent with nationally recognized professional and technical testing standards, including:</p> <ul style="list-style-type: none"> • Test reliability of the State’s assessments estimated for its student population; • Overall and conditional standard error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable; • Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results; <p>For computer-adaptive tests, evidence that the assessments produce test forms with adequately precise estimates of a <u>student’s academic achievement</u>.</p>	<p>NDSA Evidence Requested: Evidence of the overall standard error of measurement of the State’s assessments.</p> <p>Conditional standard error of measurement of any domain or component sub-tests.</p> <p>Evidence of reliability for each student group that includes:</p> <ul style="list-style-type: none"> • Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results. <p>NDSA Submitted:</p> <ul style="list-style-type: none"> • NDSA R007 - NDSA Technical Report 2018-2019, Volume 4 <ul style="list-style-type: none"> o pp. 14-15 - Table 6 and 7 – Reliability Coefficients by content area and grade level. • NDSA R008 – Reliability Coefficients <ul style="list-style-type: none"> o (Appendix A of NDSA Technical Report 2018- 2019, Volume 4) Includes reliability coefficients for demographic subgroups. • NDSA R007 - NDSA Technical Report 2018-2019, Volume 4 <ul style="list-style-type: none"> o pp. 15-16 - Section 3.2 discusses overall reliability of the test based on average conditional standard errors. o pp. 16-21 - Section 3.3 discusses conditional standard error of measurement as determined by Test Information Curves. • NDSA R008 - Reliability Coefficients o (Appendix A 	<p>NDSA: While the State provides conditional standard error of measurement at each scale score across grade levels for ELA and mathematics, no conditional standard errors of measurement for component sub-tests were located.</p> <p>The State needs to provide conditional standard errors of measurement for NDSA sub-tests and/or conditional standard errors of measurements for reporting categories to determine the precision of the results reported.</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
	<p>of NDSA Technical Report 2018- 2019, Volume 4) Includes reliability coefficients for each reporting category by grade level and content area.</p> <ul style="list-style-type: none"> • NDSA R026 – Conditional Standard Error of Measurement. (Appendix B of NDSA Technical Report 2018- 2019, Volume 4) Includes CSEM by grade level at each scale score. • NDSA R008 Reliability Coefficients o (Appendix A of NDSA Technical Report 2018- 2019, Volume 4) Includes reliability coefficients for demographic subgroups. • NDSA R007 - NDSA Technical Report 2018-2019, Volume 4 o p. 22-25 - Section 3.4 discusses reliability of achievement classification and classification accuracy. o pp. 23-24 - Table 9 and Table 10 show overall accuracy index and accuracy index at each cut score. o pp. 24-25 - Table 11 and Table 12 show overall classification consistency index and consistency index at each cut score. o pp. 25-27 - Section 3.5 discusses precision at cut scores. o pp. 25-27 - Table 13 and Table 14 illustrate achievement levels and associated CSEM. • NDSA R009 – Classification Accuracy and Consistency Index by Subgroups o (Appendix C of NDSA Technical Report 2018- 2019, Volume 4) Includes classification accuracy and consistency index by subgroups. <p>ACT Evidence Requested: Evidence that the issue of lower ACT test reliability for North Dakota Native Americans and Alaskan Natives</p>	<p>ACT No further 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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
	<p>was addressed to determine possible causes.</p> <p>Evidence of reliability, overall standard errors of measurement (SEM), and conditional SEM of subtests for the ACT writing test.</p> <p>ACT Evidence Submitted: NDACT R021- Reliability Narrative North Dakota o Addresses the reliability issue noted by the peers</p> <ul style="list-style-type: none"> • NDACT R008– ACT_Technical_Manual.pdf <ul style="list-style-type: none"> o Page 10.2 – Table 10.1 - Provides a summary of scale score reliability and SEM for the ACT test scores o Pages 10.6-10.8 – Discusses reliability, CSEM and agreement indices for the ACT writing test • NDACT R028 - Fall 2014 Writing Generalizability Study • NDACT R029 - ACT Writing Test Reliability 	
Section 4.1 Summary Statement		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Conditional standard errors of measurement for NDSA sub-tests and/or conditional standard errors of measurements for reporting categories to determine the precision of the results reported. 		

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 [North Dakota]

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 academic assessments,</i> assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition¹).</p> <p>For academic content assessments, the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis.</p>	Met in prior peer review	Met in prior peer review
Section 4.2 Summary Statement		
<ul style="list-style-type: none"> • Met in prior peer review 		

Critical Element 4.3 – Full Performance Continuum

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for academic assessments, including performance for high- and low-achieving students.</p>	Met in prior peer review	Met in prior peer review
Section 4.3 Summary Statement		
<ul style="list-style-type: none"> • Met in prior peer review 		

¹ see page 28 of “*A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process*”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 4.4 – Scoring

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State has established and documented standardized scoring procedures and protocols for its assessments that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s <u>academic achievement standards</u> .	Met in prior peer review	Met in prior peer review
Section 4.4 Summary Statement		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 4.5 – Multiple Assessment Forms

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers multiple forms of academic assessments within a content area and grade level, within or across school years, the State ensures that all forms adequately represent the State’s academic content standards and yield consistent score interpretations such that the forms are comparable within and across school years.</p>	<p>NDSA Evidence Requested: Evidence the State ensures that all forms adequately represent the State’s academic content standards and yield consistent score interpretations such that the forms are comparable within and across school years (e.g., evidence of comparability of the forms from 2017-2018 to 2018-2019; evidence that sub-scores are comparable).</p> <p>NDSA Evidence Submitted: NDSA R005 – NDSA Technical Report 2018-2019, Volume 2 o p. 50 - Section 4.5 (Number of Forms and Target Guidelines) – Describes the statistical targets for ensuring test forms are comparable across years. (pdf p. 55) o Table 29 and Table 30 – Show statistical targets by grade level and content area.</p> <p>• NDSA R010 – 2018 and 2019 Online Test Characteristic Curves o (Appendix M of NDSA Technical Report 2018- 2019, Volume 2) Compares 2018 and 2019 Test Characteristic Curve</p>	<p>NDSA: The evidence cited is for the 2018 administration only. No evidence was presented that the forms from 2017-2018 to 2018-2019 are comparable or have sub-scores that are comparable.</p> <p>Peers request evidence from the State that ensures all forms adequately represent the State’s academic content standards and yield consistent score interpretations such that the forms are comparable within and across school years (e.g., evidence of comparability of the forms from 2017-2018 to 2018-2019; evidence that sub-scores are comparable).</p>
<p>Section 4.5 Summary Statement</p>		
<p><u> </u>X_ The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evidence from the State that ensures all forms adequately represent the State’s academic content standards and yield consistent score interpretations such that the forms are comparable within and across school years (e.g., evidence of comparability of the forms from 2017-2018 to 2018-2019; evidence that sub-scores are comparable). 		

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 [North Dakota]

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; <u>or a native language version of the academic content assessment</u>), grade level, or school year, the State:</p> <ul style="list-style-type: none"> • Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments; • Documented adequate evidence of comparability of the meaning and interpretations of the assessment results. 	<p>Met in prior peer review</p>	<p>Met in prior peer review</p>
<p>Section 4.6 Summary Statement</p>		
<ul style="list-style-type: none"> • Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 4.7 – Technical Analysis and Ongoing Maintenance

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State:</p> <ul style="list-style-type: none"> • Has a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of all of the assessments in its assessment system (i.e., general assessments and alternate assessments), and • Evidence of adequate technical quality is made public, including on the State’s website. 	<p>NDSA Evidence Requested: Evidence that indicates the State uses a process for monitoring, maintaining, and improving the assessment (e.g., evidence of the role played by a technical advisory committee (TAC) in terms of meeting agendas, meeting minutes/summaries, etc).</p> <p>NDSA Evidence Submitted: NDSA R011 - November 2019 TAC Agenda o Documents formal face-to-face meeting of the Technical Advisory Committee, including agenda items pertaining to the NDSA. Each agenda item links to specific materials to be reviewed by TAC members prior to the meeting.</p> <ul style="list-style-type: none"> • NDSA R012 - November 2019 TAC Meeting Notes o Documents all recommendations made by the North Dakota TAC during the November 2019 meeting, including those pertaining to the NDSA. • NDSA R013a – Content Advisory Committee Participant Details • NDSA R013b – Fairness Committee Participant Details • NDSA R013c – Sample Data Review Training Materials • NDSA R013d – Data Review Committee Participant Details • NDSA R013e – Test Form Review Committee Participant Details o (Appendices H-L of NDSA Technical Report 2018-2019, Volume 2) Detail level of North Dakota stakeholder participation in improving and maintaining the NDSA assessments. 	<p>NDSA: Evidence provided indicates that the State uses a process for monitoring, maintaining, and improving the assessment.</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 [North Dakota]

	<p>ACT Evidence Requested: Evidence of a process (i.e., including the State’s TAC for monitoring, maintaining, and improving the State’s administration of the ACT (e.g., TAC meeting agendas and minutes).</p> <p>Evidence of how adequate technical quality will be made public on the State’s website.</p> <p>ACT Evidence Submitted: NDACT R009- TAC Notes</p> <p>NDACT R010-Screenshot of ACT accessibility • NDACT R008– ACT_Technical_Manual.pdf o Page 1.6</p>	<p>ACT The Peers could not open the screenshot (R010). Additional evidence of how adequate technical quality will be made public on the State’s website is warranted.</p> <p>A direct link to the ACT website and the ACT technical manual does not seem user friendly.</p> <p>The State provides evidence of a process (i.e., including the State’s TAC for monitoring, maintaining, and improving the State’s administration of the ACT (see R009)) and evidence of how adequate technical quality will be made public on the State’s website (see R008, R010).</p>
<p>Section 4.7 Summary Statement</p>		
<p><u> X </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 [North Dakota]

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 with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs.</p> <p>If a State adopts alternate academic achievement standards for students with the most significant cognitive disabilities and administers an alternate assessment aligned with those standards under ESEA section 1111(b)(1)(E) and (b)(2)(D), respectively, the State must:</p> <ul style="list-style-type: none"> • Establish guidelines for determining whether to assess a student with an AA-AAAS, including: <ul style="list-style-type: none"> ○ A State definition of “students with the most significant cognitive disabilities” that addresses factors related to cognitive functioning and adaptive behavior; • Provide information for IEP Teams to inform decisions about student assessments that: 	<p>Met in prior peer review</p>	<p>Met in prior peer 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 [North Dakota]

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"> ○ Provides a clear explanation of the differences between assessments aligned with grade-level academic achievement standards and those aligned with alternate academic achievement standards, including any effects of State and local policies on a student's education resulting from taking an AA-AAAS, such as how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma; • Ensure that parents of students assessed with an AA-AAAS are informed that their child's achievement will be measured based on alternate academic achievement standards; • Not preclude a student with the most significant cognitive disabilities who takes an AA-AAAS from attempting to complete the requirements for a regular high school diploma; and • Promote, consistent with requirements under the IDEA, the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum that is based on the State's academic content standards for the grade in which the student is 		

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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>enrolled; and</p> <ul style="list-style-type: none"> Develop, disseminate information on, and promote the use of appropriate accommodations to ensure that a student with the most significant cognitive disabilities who does not take an AA-AAAS participates in academic instruction and assessments for the grade in which the student is enrolled. The State has in place and monitors implementation of guidelines for IEP teams to apply in determining, on a case-by-case basis, which students with the most significant cognitive disabilities will be assessed based on alternate academic achievement standards, if applicable. Such guidelines must be developed in accordance with 34 CFR § 200.6(d).² 		
<p>Section 5.1 Summary Statement</p>		
<ul style="list-style-type: none"> Met in prior peer review 		

² See the full regulation at 34 CFR § 200.6(d) (online at https://www.ecfr.gov/cgi-bin/text-idx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200_16&rgn=div8)

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 [North Dakota]

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

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 ELs in public elementary and secondary schools in the State’s academic content assessments and clearly communicates this information to districts, schools, teachers, and parents, including, at a minimum:</p> <ul style="list-style-type: none"> • Procedures for determining whether an EL should be assessed with a linguistic accommodation(s); • Information on accessibility tools and features available to all students and assessment accommodations available for ELs; <p>Assistance regarding selection of appropriate linguistic accommodations for ELs, including to the extent practicable, assessments in the language most likely to yield accurate and reliable information on what those students know and can do to determine the students’ mastery of skills in academic content areas until the students have achieved English language proficiency.</p>	<p>NDSA Evidence Requested: Evidence that all of the supports and accommodations available to English learners on the State’s high school assessment (NSDA) are also available to students in a local educational agency (LEA) that participates in the ACT as a locally selected option.</p> <p>NDSA Evidence Submitted:</p> <ul style="list-style-type: none"> • NDSA R014 - EL Supports Comparison <ul style="list-style-type: none"> o Documents a crosswalk of EL supports provided on the NDSA and the ACT. • NDSA R019 – Online Testing System TA User Guide 2019-2020 o Section VII – Overview of the Student Testing Site (Table 4 – pp. 34-35; p. 38) – Shows inclusion and use of a Spanish Language Toggle Tool which allows students to switch between Spanish and English. • NDSA R020 – Spanish Quick Guide 2019-2020 o Details use of the Spanish Language Toggle <p>ACT Evidence Requested: Evidence that all of the supports and accommodations available to English learners on the State’s high school assessment (NSDA) are also available to students in an LEA that participates in the ACT as a locally selected option.</p> <p>ACT Evidence Submitted:</p> <ul style="list-style-type: none"> • NDACT R008– ACT_Technical_Manual.pdf <ul style="list-style-type: none"> o Page 4.1-4.17 - Discusses accessibility and enhancements for EL students taking the ACT • NDACT R012– ND Accessibility Manual <ul style="list-style-type: none"> o Page 42 – Provides links to ACT’s Accommodations and Support Guidelines 	<p>NDSA & ACT Although evidence of approved and non-approved accommodations is presented in RO11, ACT evidence is needed to support the following accommodations (allowed on NSDA) are also allowed on the ACT is needed:</p> <ul style="list-style-type: none"> • Item Translations (Spanish – Math only); • Read Aloud Items (Non-Embedded); • Read Aloud Stimuli (Non-Embedded); • Thesaurus (Non-Embedded); and • English Dictionary (Non-Embedded) <p>A call log of requests for specific accommodations might contain information to support this request.</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 [North Dakota]

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"> • NDACT R025 – ACT NDSA Approved Accommodations and Supports • NDACT R011 - NDEL Supports 2019 <ul style="list-style-type: none"> o Provides documentation (names redacted) of requested accommodations 	
Section 5.2 Summary Statement		
<p><u>X</u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • ACT evidence is needed that the following accommodations (allowed on NSDA) are also allowed on the ACT: <ul style="list-style-type: none"> o Item Translations (Spanish – Math only); o Read Aloud Items (Non-Embedded); o Read Aloud Stimuli (Non-Embedded); o Thesaurus (Non-Embedded); and o English Dictionary (Non-Embedded) 		

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 [North Dakota]

Critical Element 5.3 – Accommodations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State makes available appropriate accommodations and ensures that its assessments are accessible to students with disabilities and ELs, including ELs with disabilities. Specifically, the State:</p> <ul style="list-style-type: none"> • Ensures that appropriate accommodations, such as, interoperability with, and ability to use, assistive technology, are available to measure the <u>academic achievement</u> of students with disabilities. • Ensures that appropriate accommodations are available for ELs; • Has determined that the accommodations it provides (1) are appropriate and effective for meeting the individual student’s need(s) to participate in the assessments, (2) do not alter the construct being assessed, and (3) allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations; • Has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed. <p>Ensures that accommodations for all required assessments do not deny students</p>	<p>NDSA Evidence Requested: Evidence that the accommodations provided (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.</p> <p>NDSA Evidence Submitted: NDSA R021 – Smarter Balanced Assessment Consortium: Usability, Accessibility, and Accommodations Guidelines o p. 1 - Describes the accessibility framework for the Smarter Balanced summative assessments, which is the same framework used for NDSA assessments. o p. 30 – Describes item changes that do not impact construct.</p> <ul style="list-style-type: none"> • NDSA R022 - Smarter Balanced Assessment Consortium Cognitive Lab Report o Includes examination of the impact of different accommodations in Research questions 8, 13, and 14. • NDSA R023 – Accommodations Literature Review o Smarter Balanced review of literature considered in determining appropriate accommodations that do not alter construct • NDSA R024 – ELL Literature Review o Smarter Balanced review of literature specific to English learners • NDSA R025 - Accommodations for English Language Learners and Students with Disabilities: A Research 	<p>NDSA: R027: Item DIF counts for the accommodation groups in ELA and mathematics can be found in Table 4 (page 3) and Table 5 (page 4) and Appendix A.</p> <p>The low percentages of items containing DIF across these groups indicate that overall, students who utilize these accommodations have the same probability of a correct response on most items as those students who have no need of accommodations.</p> <p>The State provided evidence that the accommodations provided (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.</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>with disabilities or ELs the opportunity to participate in the assessment and any benefits from participation in the assessment.</p>	<p>Based Decision Algorithm</p> <ul style="list-style-type: none"> o Outlines methods by which usability, accessibility, and accommodations features of the Smarter Balanced summative assessments were determined. <ul style="list-style-type: none"> • NDSA R027 – Differential Item Functioning Across Students with Accommodations <ul style="list-style-type: none"> o Concludes that students utilizing accommodations have the same probability of a correct response on most items as students who do not need accommodations • NDSA R028 – NDSA Technical Report 2018-2019, Volume 1 <ul style="list-style-type: none"> o pp. 12-14 – Reference source for Tables 1 and 2 in Differential Item Functioning Across Students with Accommodations <p>ACT Evidence Requested: Evidence that the accommodations provided do not alter the construct being assessed and allow meaningful interpretations of results.</p> <p>Evidence that the use of any non-allowable accommodations on the test will result in an invalid individual score result.</p> <p>ACT Evidence Submitted: NDACT R008- ACT_Technical_Manual.pdf <ul style="list-style-type: none"> o Pages 4.3-4.4 – Provides high-level design processes o Pages 4.4-4.8 – Discusses accessibility supports o Page 4.9 – Provides evidence of the validity of test scores and the equal opportunity to benefit from the assessment </p> <ul style="list-style-type: none"> • NDACT R013– Examining the Validity of ACT <ul style="list-style-type: none"> o Research report from 2016 supporting meaningful interpretations of results for special-tested students 	<p>ACT R008: The work of the Detailed Level Design team was to determine whether allowing the use of a particular feature in appropriate situations (1) enables measurement of the intended construct, or (2) would result in a distortion or violation of the defined construct (pages 68-69). It would be helpful to have access to the findings of the DLD team.</p> <p>Comparisons of statistical evidence (DIF) disaggregated by whether students received accommodations or not would be helpful.</p> <p>The State provides evidence that the accommodations provided do not alter the construct being assessed and allow meaningful interpretations of results (R014 pg. 22 Results were mixed.).</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
	<p>NDACT R014 – Testing Supports for English Learners</p> <ul style="list-style-type: none"> o Pages 15-22 - Enumerates the supports and accommodations available for ELs on the ACT assessment and their impact on EL students’ scores o Pages 24 – Examines ACT score performance o Pages 26-44 - Discusses findings o Page 44 – Provides conclusions and recommendations <p>• NDACT R008- ACT_Technical_Manual.pdf</p> <ul style="list-style-type: none"> o Pages 2.14 – Discusses ACT cancelling test scores when they believe scores are invalid o Pages 4.8 – Discusses invalid scores when this assessment construct has been modified o Page 4.9 – Provides evidence of the validity of test scores and the equal opportunity to benefit from the assessment 	
Section 5.3 Summary Statement		
<u> X </u> No additional evidence is required		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 5.4 – Monitoring Test Administration for Special Populations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:</p> <ul style="list-style-type: none"> • Consistent with the State’s policies for accommodations; • Appropriate for addressing a student’s disability or language needs for each assessment administered; • Consistent with accommodations provided to the students during instruction and/or practice; • Consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL; • Administered with fidelity to test administration procedures; • Monitored for administrations of all required academic content assessments and AA-AAAS. 	<p>NDSA Evidence Requested: Evidence that the State monitors test administration in its LEAs and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and English learners so that they are appropriately included in assessments and receive accommodations that are consistent with accommodations provided to the students during instruction and/or practice (e.g., plans, procedures and forms for collecting information; monitoring of classrooms; self-report by teachers).</p> <p>NDSA Evidence Submitted: NDSA R015 – Procedural Compliance SelfAssessment Tool Kit o pp. 26-27 – (IEP-16) Directs that the student’s IEP must include the student’s participation in the NDSA and specifies that the accommodations used during testing must be included in the student’s instructional accommodations.</p> <ul style="list-style-type: none"> • NDSA R016 – Focus Monitoring IEP o Documents that NDDPI collects information from school districts regarding IEP monitoring. <p>ACT Evidence Requested: Evidence of a plan and forms for collecting information (e.g., monitoring of classrooms, self-report by teachers) linking the accommodations actually used during classroom instruction with the accommodations in the IEP and the accommodations used during testing.</p> <p>ACT Evidence Submitted: Evidence submitted on 5-22-19 • NDACT R023- ND USDE Response Letter 5- 22-19 • NDACT R001 - ACT Test Site Monitoring Checklist</p>	<p>NDSA: The State provides evidence that it monitors test administration in its LEAs and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and English learners so that they are appropriately included in assessments and receive accommodations that are consistent with accommodations provided to the students during instruction and/or practice (NDSA R015, pg. 25-27. R016).</p> <p>ACT The State provides evidence of a plan and forms for collecting information (e.g., monitoring of classrooms, self-report by teachers) linking the accommodations actually used during classroom instruction with the accommodations in the IEP and the accommodations used during testing (see NDACT R023- ND USDE Response Letter 5-22-19, NDACT R001 - ACT Test Site Monitoring Checklist, NDACT R002 – ACT Monitoring Staff Training, NDACT R003 – ACT Test Monitoring Process, NDACT R004 – Compliance Alerts-Spring 2019, NDACT R005 – District Monitoring Visits, NDACT R030 - Focus</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 [North Dakota]

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"> • NDACT R002 – ACT Monitoring Staff Training • NDACT R003 – ACT Test Monitoring Process • NDACT R004 – Compliance Alerts-Spring 2019 • NDACT R005 – District Monitoring Visits • NDACT R030 - Focus Monitoring IEP • NDACT R031 – Internal Monitoring IEP 	Monitoring IEP, NDACT R031 – Internal Monitoring IEP).
Section 5.4 Summary Statement		
__X_ No additional evidence is required		

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STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

SECTION 6: ACADEMIC ACHIEVEMENT STANDARDS AND REPORTING

Critical Element 6.1 – State Adoption of Academic 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><u>For academic content standards:</u></p> <p>The State formally adopted <u>challenging academic achievement standards</u> in reading/language arts, mathematics, and science for all students, specifically:</p> <ul style="list-style-type: none"> • The State formally adopted academic achievement standards in the required tested grades and, at its option, alternate academic achievement standards for students with the most significant cognitive disabilities; • The State applies its academic achievement standards to all public elementary and secondary school students enrolled in the grade to which they apply, with the exception of students with the most significant cognitive disabilities to whom alternate academic achievement standards may apply; <p>The State’s academic achievement standards and, as applicable, alternate academic achievement standards, include: (1) at least three levels of achievement, with two for high achievement and a third for lower achievement; (2) descriptions of the competencies associated with each achievement level; and (3) achievement scores that differentiate among the achievement levels.</p>	<p>Met in prior peer review</p>	<p>Met in prior peer 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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 6.1 Summary Statement		
<ul style="list-style-type: none"> Met in prior peer review 		

Critical Element 6.2 – Achievement Standards Setting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
The State used a technically sound method and process that involved panelists with appropriate experience and expertise for setting: <ul style="list-style-type: none"> <u>Academic achievement standards and, as applicable, alternate academic achievement standards.</u> 	Met in prior peer review	Met in prior peer review
Section 6.2 Summary Statement		
Met in prior peer review		

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STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Critical Element 6.3 – Challenging and Aligned Academic Achievement Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><u>For academic achievement standards:</u> The State’s academic achievement standards are challenging and aligned with the State’s academic content standards and with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards such that a student who scores at the proficient or above level has mastered what students are expected to know and be able to do by the time they graduate from high school in order to succeed in college and the workforce.</p> <p>If the State has adopted alternate academic achievement standards for students with the most significant cognitive disabilities, the alternate academic achievement standards (1) are aligned with the State’s challenging academic content standards for the grade in which a student is enrolled; (2) promote access to the general curriculum consistent with the IDEA; (3) reflect professional judgment as to the highest possible standards achievable for such students; (4) are designated in the IEP for each student for whom alternate academic achievement standards apply; and (5) are aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or competitive</p>	<p>ACT Evidence Requested: Evidence that the State’s academic achievement standards for the ACT test in reading/language arts are challenging and aligned with the State’s academic content standards and with entrance requirements for credit-bearing coursework in the system of public higher education in the State such that a student who scores at the proficient or above level has mastered what students are expected to know and be able to do by the time they graduate from high school in order to succeed in college and the workforce.</p> <p>ACT Evidence Submitted:</p> <ul style="list-style-type: none"> • NDACT R015– NDUS Remedial Tables <ul style="list-style-type: none"> o Provides tables showing a student’s ACT score who enrolled in the NDUS, the number in remediation and the percentage remediated • NDACT R016 – NDACT Proficiency Levels Screenshot 	<p>ACT R016: The file would not open.</p> <p>R015: English showed less than 5% in remediation. Reading had 5.5% of “Proficient” students in remediation. In Math, only three students scoring 22 or above enrolled in remediation. If the State adopted the proficient scores referenced in the ACT Technical Manual, the State provided some evidence to meet this requirement.</p> <p>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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
integrated employment.		
Section 6.3 Summary Statement		
<u> </u> X No additional evidence is required		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

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 <u>student academic achievement for all students and each student group at each achievement level</u>³</p> <p>For <u>academic content assessments</u>, the State reports assessment results, including itemized score analyses, to districts and schools so that parents, teachers, principals, and administrators can interpret the results and address the <u>specific academic needs of students</u>, and the State also provides interpretive guides to support appropriate uses of the assessment results.</p> <ul style="list-style-type: none"> The State provides for the production and delivery of individual student interpretive, descriptive, and diagnostic reports after each administration of its academic content assessments that: 	<p>NDSA Evidence Requested: Evidence that parents are made aware of how to request alternate forms of test score reports.</p> <p>Evidence of a timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration (e.g., evidence that includes dates when reports will be available and/or delivered).</p> <p>NDSA Evidence Submitted: NDSA R017 – Report Information for Parents o Includes note for parents indicating that alternate forms must be requested from the local district</p> <p>NDSA R018 - Report Delivery Timeline and Communication o Documents the plan and timeline for delivery of NDSA reports to educators and parents following spring test administration.</p> <p>ACT Evidence Requested: Evidence that student reports:</p> <ul style="list-style-type: none"> Report the student’s academic achievement in terms of the State’s grade-level academic achievement standards; To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed). <p>Evidence of the reliability of each of the subscale scores on score reports, or the addition of confidence intervals</p>	<p>NDSA Evidence is provided to support that parents are made aware of how to request alternate forms of test score reports (see NDSA R017 and R018).</p> <p>The State provides evidence of a timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration (e.g., evidence that includes dates when reports will be available and/or delivered). (R018).</p> <p>ACT Evidence is provided to support that student reports:</p> <ul style="list-style-type: none"> Report the student’s academic achievement in terms of the State’s grade-level academic achievement standards; To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed). (See NDACT R017, R018, R019). <p>As with the NDSA, it is suggested that the State develop a process for monitoring that score reports are received by</p>

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

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 [North Dakota]

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"> ○ Provide valid and reliable information regarding a <u>student’s academic achievement</u>; ○ Report the <u>student’s academic achievement</u> in terms of the State’s grade-level academic achievement standards; ○ Provide information to help parents, teachers, and principals interpret the test results and address the specific <u>academic needs of students</u>; ○ Are provided in an understandable and uniform format; ○ Are, to the extent practicable, written in a language that parents and guardians can understand or, if it is not practicable to provide written translations to a parent or guardian with limited English proficiency, are orally translated for such parent or guardian; ○ 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. ● The State follows a process and timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration. 	<p>reflecting the level of precision.</p> <p>ACT Evidence Submitted: NDACT R019– Examinee’s Information ○ Provides a link to the how-to-use-your test-results information document from the NDDPI website</p> <ul style="list-style-type: none"> • NDACT R017 – NDACT State Score Report • NDACT R018- NDACT Individual Student Score Report <p>NDACT R008– ACT_Technical_Manual.pdf ○ Chapter 7- Discusses score reports, including sub scores.</p>	<p>parents.</p> <p>The State provides some evidence of the reliability of each of the subscale scores on score reports in NDACT R008 chapter 7., and the addition of confidence intervals reflecting the level of precision (pg. 11.38).</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 6.4 Summary Statement		
X No additional evidence is required		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

SECTION 7: LOCALLY SELECTED NATIONALLY RECOGNIZED HIGH SCHOOL ACADEMIC ASSESSMENTS
 (if applicable; evidence for this section would be submitted in ADDITION to evidence for sections 1 through 6)

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has established technical criteria to use in its review of any submission of a locally selected, nationally recognized high school academic assessment. The State has completed this review using its established technical criteria and has found the assessment meets its criteria prior to submitting for the Department’s assessment peer review.</p> <p>The State’s technical criteria include a determination that the assessment:</p> <ul style="list-style-type: none"> • Is aligned with the challenging State academic standards; and • Addresses the depth and breadth of those standards. <p>AND</p> <p>The State has procedures in place to ensure that a district that chooses to use a nationally recognized high school academic assessment administers the same assessment to all high school students in the district except for students with the most significant cognitive disabilities who may be assessed with an AA-AAAS.</p>	<p>ACT Evidence Requested: Evidence that the State has established technical criteria to use in its review of the ACT as a locally selected, nationally recognized high school academic assessment.</p> <p>Evidence the State has completed its technical review of the ACT.</p> <p>Evidence provided for critical elements 5.2 and 5.3 will address this critical element as well.</p> <p>Evidence provided for critical elements 2.1 and 2.3 will address this critical element as well.</p> <p>ACT Evidence Submitted: NDACT R024 – North Dakota ACT Alignment Report o Pages 9-16 – Discusses alignment of ACT items to the North Dakota content standards as operationalized by the ACT blueprint o Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint</p> <ul style="list-style-type: none"> • NDACT R008 - ACT_Technical_Manual.pdf 	<p>ACT The State provides evidence:</p> <ul style="list-style-type: none"> • Established technical criteria to use in its review of the ACT as a locally selected, nationally recognized high school academic assessment (See R024, R008, R024, and R020) and • Completed its technical review of the ACT (see R008). <p>Although the State provides evidence that it has technical criteria for the selection of ACT, what the criteria are and how they are used in the selection of the local option are not articulated.</p> <p>It is recommended that the State clearly articulate the technical criteria used to select the local assessment option.</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>AND</p> <p>The technical criteria established by the State in reviewing a locally selected, nationally recognized high school academic assessment must ensure that the use of appropriate accommodations does not deny a student with a disability or an EL—</p> <ul style="list-style-type: none"> • The opportunity to participate in the assessment; and • Any of the benefits from participation in the assessment that are afforded to students without disabilities or students who are not ELs. 	<ul style="list-style-type: none"> o Chapter 8 – Establishes ACT’s rigorous College and Career Ready standards • NDACT R012 - ND Accessibility Manual <ul style="list-style-type: none"> o Pages 42 – Provides guidelines for accommodations for the ACT \ • NDACT R006 – NDSA ACT Comparability Report NDACT R027 - DOK Adoption to Standards Memo • NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> o Pages 9-16 – Discusses alignment of ACT items to the North Dakota content standards as operationalized by the ACT blueprint o Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint • NDACT R020 - Camara, etal Validity Argument • Page 2-3 - Provides a validity argument in support of college admissions tests for federal accountability. NDACT R008– ACT_Technical_Manual.pdf <ul style="list-style-type: none"> o Page 2.14 – Discusses ACT cancelling test scores when they believe scores are invalid o Page 4.1-4.17 - Discusses accessibility and enhancements for EL students taking the ACT o Pages 4.3-4.4 – Provides high-level design processes o Pages 4.4-4.8 – Discusses accessibility supports o Page 4.9 – Provides evidence of the validity of test scores and the equal opportunity to benefit from the assessment • NDACT R012– ND Accessibility Manual <ul style="list-style-type: none"> o Page 42 – Provides links to ACT’s Accommodations and Support Guidelines 	

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 [North Dakota]

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"> • NDACT R025 – ACT NDSA Approved Accommodations and Supports • NDACT R011 - NDEL Supports 2019 • NDACT R013– Examining the Validity of ACT <ul style="list-style-type: none"> o Research report from 2016 supporting meaningful interpretations of results for special-tested students • NDACT R014 – Testing Supports for English Learners <ul style="list-style-type: none"> o Pages 15-22 - Enumerates the supports and accommodations available for ELs on the ACT assessment and their impact on EL students’ scores o Pages 24 – Examines ACT score performance o Pages 26-44 - Discusses findings o Page 44 – Provides conclusions and recommendations 	
Section 7.1 Summary Statement		
__X_ No additional evidence is required		

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

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

Element 7.2 –State Monitoring of Districts Regarding the Use of Locally Selected, Nationally Recognized High School Academic Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State must have procedures in place to ensure that:</p> <p>Before a district requests approval from the State to use a nationally recognized high school academic assessment, the district notifies all parents of high school students it serves—</p> <ul style="list-style-type: none"> • That the district intends to request approval from the State to use a nationally recognized high school academic assessment in place of the statewide academic assessment; • Of how parents and, as appropriate, students may provide meaningful input regarding the district’s request (includes students in public charter schools who would be included in such assessments); and • Of any effect of such request on the instructional program in the district. 	<p>Met in prior peer review</p>	<p>Met in prior peer review</p>
<p>Section 7.2 Summary Statement</p>		
<ul style="list-style-type: none"> • _ Met in prior 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.

STATE ASSESSMENT PEER REVIEW NOTES FOR [North Dakota]

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

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The locally selected, nationally recognized high school academic assessment:</p> <ul style="list-style-type: none"> • Is equivalent to or more rigorous than the statewide assessment, with respect to— <ul style="list-style-type: none"> ○ The coverage of academic content; ○ The difficulty of the assessment; ○ The overall quality of the assessment; and ○ Any other aspects of the assessment that the State may establish in its technical criteria; • Produces valid and reliable data on student academic achievement with respect to all high school students and each subgroup of high school students in the district that— <ul style="list-style-type: none"> ○ Are comparable to student academic achievement data for all high school students and each subgroup of high school students produced by the statewide assessment at each academic achievement level; ○ Are expressed in terms consistent with the State’s academic achievement standards; and <p>Provide unbiased, rational, and consistent differentiation among schools within the State for the purpose of the State determined accountability system including calculating the Academic Achievement indicator and annually meaningfully differentiating between schools.</p>	<p>ACT Evidence Requested: Evidence of comparability between the ACT tests and the North Dakota State Assessment tests (e.g., tables comparing reliability and validity coefficients for the tests).</p> <p>Evidence requested for critical elements 2.1 and 3.1 will address this critical element as well.</p> <p>ACT Evidence Submitted: NDACT R024 - North Dakota ACT Alignment Report <ul style="list-style-type: none"> ○ Appendix F - Provides alignment of ACT items and ND standards and compares ACT alignment results to NDSA blueprints • NDACT R032 – Comparison of Reliabilities ○ Provides summary statistics of reliability and validity coefficients • NDACT R006 – NDSA ACT Comparability Report NDACT R027 - DOK Adoption to Standards Memo <ul style="list-style-type: none"> • NDACT R024 - North Dakota ACT Alignment Report ○ Pages 9-16 – Discusses alignment of ACT items to the North Dakota content standards as operationalized by the ACT blueprint ○ Appendix F - Discusses alignment of ACT items to the North Dakota content standards as operationalized by the NDSA blueprint <ul style="list-style-type: none"> • NDACT R020 - Camara, etal_Validity Argument ○ Page 2-3 - Provides a validity argument in support of college admissions tests for federal accountability </p>	<p>ACT Similar alignment results demonstrate that both assessments measure the breadth and depth of the ND content standards to a similar degree (page 3).</p> <p>The State has provided some evidence that there is similar alignment and comparability between the NDSA and the ACT.</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 [North Dakota]

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 7.3 Summary Statement		
__X_ No additional evidence is required		

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