



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JAN 06 2017

The Honorable Stephen Pruitt  
Commissioner of Education  
Kentucky Department of Education  
Capital Plaza Tower  
500 Mero Street  
Frankfort, KY 40601

Dear Commissioner Pruitt:

Thank you for your participation in the U.S. Department of Education's (Department) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB). The Every Student Succeeds Act (ESSA) maintains the essential requirements from NCLB that each State annually administer high-quality assessments in at least reading/language arts, mathematics, and science that meet nationally recognized professional and technical standards. Therefore, as you know, the Department reinstated peer review of State assessment systems so that each State receives feedback from external experts on the assessments it is currently administering. We appreciate the efforts required to prepare for the peer review, which occurred in June 2016. 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 child'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.

On October 6, 2016, the Department sent a letter to chief State school officers outlining the outcomes for States related to the assessment peer review. I am writing to provide you feedback on the Kentucky Department of Education's (KDE) recent submission of evidence. External peer reviewers and Department staff evaluated Kentucky's submission and found, based on the evidence received, that the components of your assessment system meet some, but not all of the statutory and regulatory requirements of section 1111(b)(1) and (3) 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 (R/LA) and mathematics general assessments in grades 3-8 (Kentucky Performance Rating for Educational Progress (K-PREP)): **Partially meets requirements**
- (R/LA and mathematics general assessments in high school (ACT QualityCore end of course (ACT QualityCore EOC R/LA and math)): **Partially meets requirements**
- R/LA and mathematics alternate assessments of alternate academic achievement standards (AA-AAAS) for students with the most significant cognitive disabilities in grades 3-8 and high school (Alternate Kentucky Performance Rating for Educational Progress (Alternate K-PREP R/LA and math)): **Partially meets requirements**

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- Science general assessments in high school (ACT QualityCore end of course (ACT QualityCore EOC Biology)): **Partially meets requirements**
- Science AA-AAAS in high school (Alternate Kentucky Performance Rating for Educational Progress (Alternate K-PREP science)): **Partially meets requirements**

The **partially meets requirements** designation for a component means that it does not meet a number of the requirements of the statute and regulations, and Kentucky will need to provide substantial additional information to demonstrate it meets the requirements. The Department expects that Kentucky may not be able to submit all of the required information within one year.

The specific list of items required for KDE to submit is enclosed with this letter. Because several of the State's components have partially met the requirements, the Department is placing a condition on KDE's Title I grant award related to those components of the assessment system. To satisfy this condition, KDE must submit satisfactory evidence to address the items identified in the enclosed list. KDE must submit a plan and timeline within 30 days for when it will submit all required additional documentation for peer review. The Department will also host regular (e.g., quarterly) progress calls with KDE to discuss the State's progress on its timeline. If adequate progress is not made, following the peer review of the additional evidence, the Department may take additional action. Additionally, the Office of Special Education and Rehabilitative Services (OSERS) will monitor progress on matters pertaining to requirements in the Individuals with Disabilities Education Act (IDEA) related to the participation of students with disabilities in Title I assessments. Insufficient progress to address such matters may lead OSERS to place a condition on KDE's IDEA Part B grant award.

The Department notes that KDE submitted a waiver request for assessing speaking and listening that was approved on December 13, 2016, for the 2016-17, 2017-18, and 2018-19 school years.

In addition, the full peer review notes from the review are enclosed. These recommendations to the Department formed the basis of the Department's 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 Chuenee Boston and Millie Bentley-Memon of staff at: [OSS.Kentucky@ed.gov](mailto:OSS.Kentucky@ed.gov).

Sincerely,



Ann Whalen  
Senior Advisor to the Secretary  
Delegated the Duties of Assistant Secretary  
for Elementary and Secondary Education

Enclosures

cc: Rhonda Sims, Office of Assessment and Accountability

**Critical Elements Where Additional Evidence is Needed to Meet the Requirements for Kentucky’s Assessment System**

<b>Critical Element</b>	<b>Additional Evidence Needed</b>
<p><b>1.2 – Coherent and Rigorous Academic Content Standards</b></p>	<p>For all Reading/ language arts (R/LA) and mathematics assessments (general and alternate assessments of alternate academic achievement standards (AA-AAAS)) and for all science assessments (general and AA-AAAS), KDE should provide:</p> <ul style="list-style-type: none"> <li>• A description of State stakeholders involved in the development and/or adoption process for the R/LA, mathematics, and science content standards that includes detail on subject-matter expertise, individuals representing English learners (ELs) and students with disabilities.</li> </ul>
<p><b>1.5 – Participation Data</b></p>	<p>For the R/LA, mathematics and science general assessments in high school (ACT QualityCore EOC R/LA, mathematics, and science), KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the State has procedures in place for ensuring that each student is tested and counted in the calculation of participation rates on each required assessment.</li> </ul>
<p><b>2.1 – Test Design and Development</b></p>	<p>For the K-PREP R/LA and mathematics in grades 3-8, and ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the test blueprints align to the full range of academic content standards (e.g., an independent alignment study).</li> <li>• Evidence on how depth of knowledge (DOK) is incorporated into test design.</li> <li>• A rationale of the exclusion of DOK level 1 questions from item development in R/LA and mathematics (K-PREP).</li> <li>• Evidence that the R/LA assessments measure the full breadth and depth of the State’s academic content standards, including the speaking and listening aspect of the standards at all grades, and the writing standards for R/LA at grades 3, 4, and 7.</li> </ul> <p>[NOTE: KDE has received a speaking and listening waiver; therefore, the Department does not expect Kentucky to submit additional evidence regarding speaking and listening during the period of the waiver.]</p> <p>For the Alternate K-PREP R/LA, math, and science at each grade and subject, KDE must provide:</p> <ul style="list-style-type: none"> <li>• A rationale for each dimension (“Attainment Tasks” and “Transition Attainment Record”) in the Alternate K-PREP design, and to support how each dimension serves to meet the criteria for this critical element, evidence specifically that includes: <ul style="list-style-type: none"> <li>○ Statement(s) of the purposes of the assessments and the intended interpretations and uses of results;</li> <li>○ Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the full range of the State’s grade-level academic content standards, and support the intended interpretations and uses of the results;</li> <li>○ Processes to ensure that each assessment is tailored to the knowledge and skills included in the State’s academic content standards, reflects appropriate inclusion of challenging content, and requires complex</li> </ul> </li> </ul>

Critical Element	Additional Evidence Needed
	demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills).
<b>2.2 – Item Development</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8, and ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of the areas of expertise of item reviewers used in the item development process for KDE general assessments, specifically subject area expertise, and backgrounds in educating students with disabilities and ELs, as applicable.</li> </ul>
<b>3.1 – Overall Validity, including Validity Based on Content</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8, and ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of alignment, including a report of results of an independent alignment study that is technically sound (i.e., method and process, appropriate units of analysis, clear criteria) and documents adequate alignment, specifically that: <ul style="list-style-type: none"> <li>○ Each assessment is aligned to its test blueprint, and each blueprint is aligned to the full range of State’s academic content standards; or</li> <li>○ Each assessment is aligned to the full range of the State’s academic content standards, and the procedures the State follows to ensure such alignment during test development;</li> <li>○ Includes a description of a systematic process and timeline the State will implement to address any gaps or weaknesses identified in the alignment studies.</li> </ul> </li> </ul>
<b>3.2 – Validity Based on Cognitive Processes</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the assessments tap the intended cognitive processes appropriate to KDE content standards, such as one of the following: <ul style="list-style-type: none"> <li>○ Results of cognitive labs exploring student performance on items that show the items require complex demonstrations or applications of knowledge and skills; OR</li> <li>○ Reports of expert judgment of items that show the items require complex demonstrations or applications of knowledge and skills; OR</li> <li>○ Empirical evidence that shows the relationships of items intended to require complex demonstrations or applications of knowledge and skills to other measures that require similar levels of cognitive complexity in the content area (e.g., teacher ratings of student performance, student performance on performance tasks or external assessments of the same knowledge and skills).</li> </ul> </li> </ul>
<b>3.3 – Validity Based on Internal Structure</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide:</p> <ul style="list-style-type: none"> <li>• Empirical evidence that supports the internal structures of the tests, especially for any subscales that are used in reporting and interpretation (e.g., correlations among subscales, confirmatory factor analyses).</li> </ul>
<b>3.4 – Validity Based on Relationships</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide:</p>

Critical Element	Additional Evidence Needed
<b>with Other Variables</b>	<ul style="list-style-type: none"> <li>• Studies of correlations/relationships between the K-PREP R/LA and math tests with other tests/measures of the same/similar constructs for all tested grades.</li> <li>• Studies of correlations/relationships between the HS ACT QualityCore R/LA, mathematics, and science tests with other measures of the same/similar constructs.</li> <li>• Studies of correlations/relationships between Alt K-PREP assessments of R/LA, math, and science with assessments of the same/similar constructs for all grades assessed.</li> </ul>
<b>4.1 – Reliability Additional Evidence Needed</b>	<p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of estimates for test reliability, standard errors of measure, and classification accuracy for student subgroups (e.g., gender, race/ethnicity, student disability status, EL status).</li> </ul> <p>For the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of estimates for overall test reliability, standard errors of measurement, and classification accuracy, and similar estimates for student subgroups (e.g., gender, race/ethnicity, student disability status, EL status) if subgroup data are reportable for this test.</li> </ul>
<b>4.2 – Fairness and Accessibility</b>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence regarding the professional background of test item reviewers as noted in element 2.2, specifically for bias and sensitivity reviews.</li> <li>• Empirical evidence that documents the fairness of the tests (e.g., differential item functioning (DIF) analyses of major subgroups).</li> </ul> <p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence as noted in element 4.1</li> </ul>
<b>4.3 – Full Performance Continuum</b>	<p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of the conditional standard error of measure (CSEM) for each score on each test, or similar estimates that indicate that the tests provide adequately precise measurements across the full performance continuum.</li> </ul>
<b>4.4 – Scoring</b>	<p>For the K-PREP R/LA in grades 3-8, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of improved inter-rater reliability for K-PREP writing test items.</li> </ul> <p>For the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of the inter-rater agreement for the Transaction Attainment Record dimension of the test.</li> </ul>
<b>4.5 – Multiple Assessment Forms</b>	<p>For the K-PREP R/LA in grades 3-8; and Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of the procedures used for linking and equating forms across years of test administration (e.g., how linking items were selected, how linking/equating data is used, how linking items represent test blueprints), and</li> </ul>

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	<p>evidence of results of those procedures.</p> <p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of procedures used for equating multiple forms within a year of test administration and evidence of results of those procedures.</li> </ul>
<p><b>5.1 – Procedures for Including Students with Disabilities</b></p>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science , KDE must provide evidence of clear guidance for IEP teams and parents regarding:</p> <ul style="list-style-type: none"> <li>• Clear explanations of the differences between assessments based on grade-level academic achievement standards and assessments based on AA-AAAS;</li> <li>• Guidelines for determining whether to assess a student on the general assessment without accommodation(s), the general assessment with accommodation(s), or an alternate assessment;</li> <li>• Information on accessibility tools and features available to students in general and assessment accommodations available for students with disabilities;</li> <li>• Selection of appropriate accommodations for students with disabilities;</li> <li>• Procedures to ensure that the State’s implementation of AA-AAAS for students with the most significant cognitive disabilities promotes student access to the general curriculum.</li> </ul>
<p><b>5.2 – Procedures for including ELs</b></p>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide: evidence of clear guidance for educators of ELs, including:</p> <ul style="list-style-type: none"> <li>• Procedures for determining whether an EL should be assessed with accommodation(s);</li> <li>• Information on accessibility tools and features available to all students and assessment accommodations available for ELs; and</li> <li>• Guidance regarding selection of appropriate accommodations for ELs.</li> </ul>
<p><b>5.3 – Accommodations</b></p>	<p>For the K-PREP R/LA and mathematics in grades 3-8; the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence that it ensures that appropriate accommodations are available for children with disabilities under IDEA and students with disabilities covered by Section 504;</li> <li>• Evidence that it ensures that appropriate accommodations are available for ELs;</li> <li>• Evidence that it has determined that the accommodations it provides (i) are appropriate and effective for meeting the individual student’s need(s) to participate in the assessments, (ii) do not alter the construct being assessed, and (iii) allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations;</li> <li>• Evidence that it has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed.</li> </ul>

Critical Element	Additional Evidence Needed
<b>6.2 – Achievement Standards-Setting</b>	<p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of a standards-setting report for the achievement standards adopted.</li> </ul>
<b>6.3 – Challenging and Aligned Academic Achievement Standards</b>	<p>For the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the State’s alternate academic achievement standards are linked to the State’s academic content standards, such as: <ul style="list-style-type: none"> <li>○ A description of the process used to develop the alternate academic achievement standards that shows the State’s grade-level academic content standards or that extended academic content standards were used as a main reference in writing performance level descriptors for the alternate academic achievement standards ; OR</li> <li>○ The process of setting cut scores used, as a main reference, performance level descriptors linked to the State’s grade-level academic content standards or extended academic content standards; OR</li> <li>○ The cut scores were set and performance level descriptors written to link to the State’s grade-level academic content standards or extended academic content standards; OR</li> <li>○ A description of steps taken to vertically articulate the alternate academic achievement standards (including cut scores and performance level descriptors) across grades.</li> </ul> </li> </ul>
<b>6.4 – Reporting</b>	<p>For the ACT QualityCore EOC R/LA, mathematics, and science in high school; and the Alternate K-PREP R/LA, math, and science, KDE must provide:</p> <ul style="list-style-type: none"> <li>• Evidence of test score reports by proficiency level by student subgroups.</li> <li>• Evidence that alternate formats of test score reports are available.</li> <li>• Evidence of test score interpretive guides for educators and parents.</li> </ul>