

MAY 08 2018



## UNITED STATES DEPARTMENT OF EDUCATION

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MAY - 2 2018

The Honorable Johnny Key  
Commissioner of Education  
Arkansas Department of Education  
Four Capitol Mall, Room 403A  
Little Rock, AR 72201

Dear Commissioner Key:

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), as amended by the No Child Left Behind Act (NCLB), which governed State assessments through the 2016-2017 school year. The Every Student Succeeds Act (ESSA), which governs State assessments beginning in the 2017-2018 school year, maintains the essential requirements from NCLB that each State annually administer high-quality assessments in at least reading/language arts (R/LA), mathematics and science that meet nationally recognized professional and technical standards with a few additional requirements. I appreciate the efforts of the Arkansas Department of Education (ADE) to prepare for the peer review, which occurred in August 2017.

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 ADE's submission and the Department found, based on the evidence received, that the components of your assessment system meet most, but not all of the statutory and regulatory requirements of sections 1111(b)(1) and (3) of the ESEA, as amended by NCLB. Based on the recommendations from this peer review and our own analysis of the State's submission, I have determined the following:

- General assessments in mathematics and reading/language arts (R/LA) for grades 3-8 (ACT Aspire). **Substantially meets requirements**

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- General assessments in mathematics and reading/language arts (R/LA) for high school (ACT Aspire). **Substantially meets requirements**
- General assessments in science for grades 5 and 7 (ACT Aspire). **Substantially meets requirements**
- General assessments in science for high school (ACT Aspire). **Substantially meets requirements**

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

ADE also provided information regarding the Multi-State Alternate Assessments (MSAA), the alternate assessment based on alternate academic achievement standards for students with the most significant cognitive disabilities. Feedback regarding this component of your assessment system will be presented in a subsequent letter.

The specific list of items required for ADE to submit is enclosed with this letter. ADE 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 progress calls with the State to discuss the State's progress on its timeline. If, following the peer review of the additional evidence, adequate progress is not made, 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.

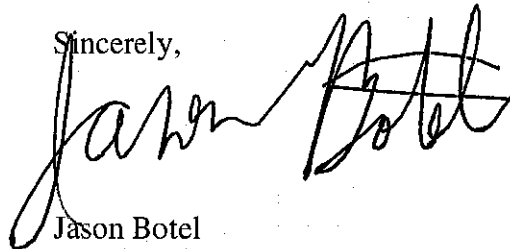
Please note that the assessment requirements for ESEA, as amended by the NCLB, were in effect through the end of the 2016-2017 school year. The ADE peer review was conducted under the requirements of this statute. Beginning in the 2017-2018 school year, the assessment requirements of the ESEA, as amended by the ESSA will apply to State assessments. Given that this review began under the requirements of the ESEA, as amended by the NCLB, it is important to indicate that while the ACT Aspire assessments substantially meet most of the peer review guidance criteria under the NCLB, the State is still responsible to ensure that these assessments also comply with the requirements of the ESSA. Department staff have carefully reviewed ADE evidence and peer review recommendations in light of the updated requirements for State assessments under the ESEA, as amended by the ESSA. As a result of this additional review, I have determined that the ADE must also provide evidence that the ACT Aspire incorporate principles of universal design, as specified in section 1111(a)(1)(A) of the ESEA, as amended by the ESSA. This requirement is noted under Critical Element 4.2 in the enclosed list of items.

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 Joseph Suh of my staff at: [OSS.Arkansas@ed.gov](mailto:OSS.Arkansas@ed.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Botel". The signature is written in a cursive style with a large, sweeping initial "J".

Jason Botel  
Principal Deputy Assistant Secretary,  
Delegated the Authority to Perform the  
Functions and Duties of the Position of  
Assistant Secretary, Office of  
Elementary and Secondary Education

Enclosures

cc: Hope Allen, Director of Assessment

**Critical Elements Where Additional Evidence is Needed to Meet the Requirements for Arkansas' Assessment System**

<b>Critical Element</b>	<b>Additional Evidence Needed</b>
<b>2.1 – Test Design and Development</b>	<p>For the general assessments in mathematics and reading/language arts (R/LA) for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>• Additional evidence of alignment (e.g., independent alignment study/studies) specific to the full range of Arkansas content and complexity standards for R/LA, mathematics in grades 3,4, 6 and 7, and science for all tested grades.               <ul style="list-style-type: none"> <li>○ Alignment evidence should include all grade levels, and should be based upon the current state academic content standards.</li> </ul> </li> <li>• Additional information documenting how issues identified in the State's alignment evidence (the Fordham study) for mathematics and R/LA in grades 5, 8 and high school have been addressed by Arkansas Department of Education (ADE).</li> </ul>
<b>3.1 – Overall Validity, including Validity Based on Content</b>	<p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>• Evidence of adequate alignment between the State's assessments and the academic content standards the assessments are designed to measure, such as an independent alignment study of the assessments, content standards, and achievement standards (see critical element 2.1).</li> </ul>
<b>3.2 – Validity Based on Cognitive Processes</b>	<p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>• Additional information documenting how issues related to weak cognitive demand identified in the Fordham study have been addressed by ADE (see critical element 2.1); OR</li> <li>• Other evidence (such as an independent alignment study described in critical element 2.1) that demonstrates that the assessments measure the intended cognitive processes contained within the academic content and achievement standards.</li> </ul>
<b>3.4 – Validity Based on Relationships with Other Variables</b>	<p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>• Provide validity evidence that the State's assessment scores are related as expected to other variables.</li> </ul>
<b>4.2 – Fairness and accessibility</b>	<p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>• Evidence that the State has examined test reliability for student sub-groups.</li> <li>• Evidence that the State has taken reasonable and appropriate steps to ensure the accessibility of its assessments, including evidence of updates to accessibility features for the ACT test delivery platform.</li> <li>• Evidence that the assessments are developed, to the extent practicable, using the principles of universal design for learning. This may include documentation of steps the State has taken in the design and development of its assessments, such as:               <ul style="list-style-type: none"> <li>○ Documentation describing approaches used in the design and development of the State's assessments (e.g., principles of universal design, language simplification, accessibility tools and features embedded in test items or available as an accompaniment to the</li> </ul> </li> </ul>

Critical Element	Additional Evidence Needed
<b>6.3 – Challenging and Aligned Academic Achievement Standards</b>	<p>items), OR;</p> <ul style="list-style-type: none"> <li>○ Documentation of the approaches used for developing items; OR</li> <li>○ Documentation of procedures used for maximizing accessibility of items during the development process, such as guidelines for accessibility and accessibility tools and features included in item specifications; OR</li> <li>○ Description or examples of instructions provided to item writers and reviewers that address writing accessible items, available accessibility tools and features, and reviewing items for accessibility; OR</li> <li>○ Documentation of procedures for developing and reviewing items in alternative formats or substitute items and for ensuring these items conforms to item specifications.</li> </ul>
<b>6.4 – Reporting</b>	<p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>● Evidence of strong alignment as described in critical element 2.1 above.</li> </ul> <p>For the general assessments in mathematics and R/LA for grades 3-8 and high school, and science for grades 5, 7, and high school (ACT Aspire):</p> <ul style="list-style-type: none"> <li>● Evidence that reports and guides are available in alternate formats upon request and, to the extent practicable, in a native language that parents can understand.</li> </ul>