

Date: 02/06/2012

Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1986 Relating to the Hawaiian Language Immersion Program

Purpose of Bill: Requires the DOE to develop reading, math, and science assessment tests in the Hawaiian language for grades 3 and 4 students in the Hawaiian language immersion program.

Department's Position:
No position

H.B. No. 1986 – RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

The Department of Education takes no position on H.B. No. 1986 as long as its implementation does not impact or replace the priorities set forth in the Executive Supplemental Budget of Fiscal Year 2012-2013.

Under the No Child Left Behind Act of 2001, each state is required to annually administer valid and reliable assessments in grades 3 through 8 and one grade in high school (grades 10-12) in mathematics and reading or language arts and one grade in elementary, middle school, and high school for science. The assessments must be aligned to the State's adopted academic content standards and are consistent with relevant nationally recognized professional and technical standards. The Department's large scale assessments are aligned to the Hawaii Content and Performance Standards III to measure students' progress on these standards. Further, the assessments are developed, administered, and scored following these technical standards.

The following are key challenges that would impact the implementation of H.B. No. 1986.

1. Development
 - A. To develop assessments in reading, mathematics, and science for the Hawaiian Language Immersion Program students in grades 3 and 4 would require some modifications and revisions to the technical standards in various areas due to the limited number of students that are available for field testing. The modifications and revisions associated with test and item type development and related field test and operational statistics would need to be presented to the Technical Advisory Committee for review, analysis, and guidance.
 - B. Measurable and appropriate program standards would need to be developed for each content area to be assessed and grade level. Once developed, these standards would need to be independently reviewed for alignment to state adopted academic content standards. In addition, the standards would need to be adopted by the Hawaii State Board of Education as standards to be implemented for the Hawaiian Language Immersion Program.

- C. The development of a new assessment that follows the guidelines set forth in *Standards for Educational and Psychological Testing* (American Educational Research Association, 1999) is gauged to be approximately 18-24 months. This time frame has been reduced at various times, but compressing each phase of development may necessitate additional personnel and possibly lead to errors that would need to be addressed once the test has become live for student scores.

2. Personnel

- A. The development of an assessment in the Hawaiian language would require numerous individuals to be trained in the development of the item type as well as understanding the breadth and scope of the standards. The number of individuals in Hawaii that are considered fluent in reading, writing, and speaking the Hawaiian language and possess a full understanding and comprehension of the State's academic content standards for mathematics, reading, and science may be limited. This limitation of personnel would increase the length of the development process as well as cost.
- B. Many of the individuals that would be considered fluent or qualified to develop assessments and item types as well as participate in reviews are school level personnel that provide direct instruction to students. To ensure confidentiality and security of the development process and the assessment items requires that a person who creates an item does not review, administer, or score that item.

3. Cost

- A. Approximately a total of 340 students are enrolled in the Hawaiian Language Immersion Program for grades 3 and 4 (170 students per grade). The following chart shows the total and per student cost of all phases of assessment development, administration, scoring, and reporting for the current online computer adaptive Hawaii State Assessment (HSA) in the Hawaiian language and the estimated cost of the assessments for H.B. No. 1986. This is for one year only.

<u>TEST:</u>	<u>TOTAL COST:</u>	<u>COST PER STUDENT:</u>
2010-2011 HSA (94,960 students)	\$7,105,000	\$74.82
HB 1986 Test Initial Year (350 students-grade 3 and 4)	\$2,800,000 (estimated)	\$8,000
HB 1986 Test Year 2	\$1,900,000	\$5,249

- B. The costs for development of online assessments are higher in the initial year as many tasks need to be developed and implemented. Each year, the cost would decrease as these initial tasks are implemented over the course of the assessment and would only need upgrades and enhancements to improve the delivery of the assessment.

The Department is open to suggestions and options, but must work within its limited fiscal and human resources. The Department would also need to work with the United States Department of Education and its peer reviewers to ensure that the development plan meets related regulations and guidelines (see attachments A & B).

In collaboration with stakeholders and others, one of the options that the Department is willing to pursue is to seek a waiver pursuant to section 9401 of the ESEA (20 U.S.C. §7861). The Superintendent is open to requesting a waiver from the Secretary of Education to exempt grade 3 and 4 HLIP students from being administered the reading, mathematics, and science assessments required under 34 C.F.R. §200.5 through SY 2015-2016 (subject to the reauthorization of the ESEA). The waiver request pursuant to section 9401 of the ESEA (20 U.S.C. §7861) must:

- 1) Identify the federal programs affected by the requested waiver;
- 2) Describe the statutory or regulatory requirements to be waived and how the waiving of these requirements will increase the quality of student instruction and improve student academic achievement;
- 3) Describe for each school year the specific, measurable education goals in accordance with section 1111(b) of the ESEA (20 U.S.C. §6311(b)) for the SEA and for each LEA, Indian tribe, or school that would be affected by the waiver and the methods that would be used to measure annual progress toward meeting such goals and outcomes;
- 4) Explain how the waiver will assist the SEA and each affected LEA, Indian tribe, or school in reaching the state goals; and
- 5) Describe how schools will continue to provide assistance to the same populations served by programs for which waivers are requested.

Waivers granted pursuant to section 9401 of the ESEA may not exceed four years, but may be extended if the Secretary of Education determines that the waiver has contributed to improved student achievement and is in the public interest. Conversely, waivers must be terminated if the Secretary determines that student performance or other outcomes are inadequate to justify continuation of the waivers, or if the waiver is no longer necessary to achieve its original purposes.

While the Secretary's authority to waive any statutory or regulatory requirement of the ESEA (20 U.S.C. §§6301 to 7941) appears to be very broad, it should be noted that this waiver authority is discretionary, not mandatory. In other words, while the Secretary appears to have the authority to waive ESEA requirements related to academic content and achievement standards, administration of annual assessments, and accountability timelines and annual measurable objectives, the Secretary also has broad discretion to deny states' waiver requests.

The Department appreciates the opportunity to present testimony on this measure. If passed with the appropriate funding and resources, the Department is willing to collaborate with the Office of Curriculum, Instruction and Student Support's Hawaiian Education Programs Section staff and other stakeholders, such as Aha Kauleo Kaiapuni Hawaii, members of the Hawaiian Language Immersion Program schools, and the University of Hawaii at Hilo and Manoa to create valid and reliable tests that are not translations of the English assessments. Further, these tests would be aligned to the Common Core State Standards and/or Hawaii Content and Performance Standards III and will meet all federal peer review requirements.

**A USER'S GUIDE TO PREPARING SUBMISSIONS FOR
THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW**

*Prepared by Marshá T. Horton and Susan M. Hanes for the Office of Elementary and
Secondary Education, U. S. Department of Education*

May 2005

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

INTRODUCTION

The No Child Left Behind Act of 2001 (NCLB) established requirements for the standards and assessment systems of states. To address the requirements, states prepare evidence of implementing the standards and assessments as specified in NCLB. This documentation constitutes a state's "submission" for peer review. The submission is then examined by a team of Peer Reviewers, national experts knowledgeable in the fields of standards and assessment. The requirements for the submission address a wide range of concepts and often the documentation from states is quite substantial.

Peer Reviewers have noticed two things. First, states often fail to submit evidence to address a required element, or in cases where evidence is submitted the documentation may not adequately address the full scope or intent of the element. Second, many states submit too much material, much of it irrelevant to respond to the questions in the Peer Review Guidance. This User's Guide was prepared to help states prepare their submissions for review; it provides a summary of the essential requirements for each section of the submission and information regarding specific elements that is often overlooked. This document should be viewed as a companion piece to *The Peer Review Guidance for Standards and Assessment, April 2004*.

This Guide should facilitate the state's preparation by providing information that will enhance the submission, and thus expedite the review process.

Marshá T. Horton and Susan M. Hanes

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

PART 1: GENERAL RECOMMENDATIONS

Because the requirements for NCLB are comprehensive, a state's submission can be quite substantial in terms of volume and substance. To facilitate the review and enhance the efficiency of the process we have developed general recommendations that apply to the entire submission from a state.

RECOMMENDATION	RATIONALE
<p>Review <i>The Standards and Assessments Peer Review Guidance: Information and Examples for Meeting Requirements of the NCLB Act of 2001, April 28, 2004.</i></p>	<p>This document is the framework for peer reviewer's discussions and judgments regarding the state assessment system. It provides examples of acceptable evidence, and examples of incomplete evidence.</p>
<p>Use the "State Index" form provided by USED as the template for organizing the submission.</p>	<p>Respond to each of the questions. Clearly identify the appropriate reference and where in the reference the evidence appears. Be as specific as possible. All attachments and citations should be clearly labeled and numbered sequentially because it is time consuming and frustrating for reviewers to search through a submission for cited references.</p>
<p>In the section entitled "Evidence," provide a clear and concise description of how the state meets the requirement.</p>	<p>Narrative and citations of evidence that do not directly address the element give the impression that the state is not sure its system is compliant with the requirement(s).</p>
<p>Provide duplicates of any materials that cannot be photocopied, e.g. CD-ROM, color brochures, etc.</p>	<p>A State is required to submit only one copy of all materials, but if the state wishes to ensure that reviewer's copies are complete and formatted as originally designed, that state may provide <u>six</u> complete copies of the submission.</p>
<p>List the assessments currently in use in your State (See the Overview Section). Components currently under development for future use, such as content standards, performance standards and descriptors, and assessments, should be clearly described with proposed dates for full implementation.</p>	<p>In 2005-06 many states will be implementing parts of the assessment system for the first time and may not yet have implemented science assessments. Reviewers need to be clear about which assessments are currently used to calculate AYP and which are scheduled for future implementation.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

RECOMMENDATION	RATIONALE
<p>If the state's program does not currently meet the requirement, say so; provide a projected plan and timeline for when the requirement will be met.</p>	<p>Do not attempt to obfuscate. If it appears that the state is trying to misrepresent the existing program, reviewers may question the integrity and intent of the submission and give closer scrutiny to all aspects of the documentation provided.</p>
<p>Committees, panels and reviewers cited in evidence as being used in development processes should reflect the demographics of the student population for your state, but at the least should include representatives for students with disabilities, limited English proficient students, and racial/ethnic groups.</p>	<p>The participation of representatives that reflect the diversity of the state is a requirement for several sections of the submission. Documentation should include some indication of panel (committee, reviewer) qualifications.</p>
<p>To document participation, the state should provide student enrollment data for the grades tested as well as the number of students assessed.</p>	<p>All students must be tested, regardless of the length of time in the school. Reviewers must be able to verify that all students are included in testing so the state should provide accurate enrollment data for the grades tested. The AYP participation rate is not sufficient.</p>
<p>Reports and studies by independent evaluators are valuable types of evidence.</p>	<p>Independent evaluations and studies add a level of credibility to findings. This is particularly relevant for studies pertaining to comparability, alignment and validity, but it applies to all development processes.</p>
<p>Package the materials in sturdy boxes and send by a national delivery service. Be sure to include the room number and telephone phone for the intended recipient. If you do not know who should receive your submission contact: Sue Rigney 202-260-0931 (sue.rigney@ed.gov) 400 Maryland Avenue, SW, Room 3C139 Washington, DC 20202-6132</p>	<p>Delivery services that permit tracking are preferred to ensure that materials are not lost in shipment.</p>

PART II: REQUIREMENTS AT A GLANCE

Fulfilling the NCLB requirements for a state's standards and assessment system can be challenging. In preparing the submission states must first decide if their program meets the requirements. Then, appropriate documentation must be attached to substantiate their response. Most state departments house large volumes of reports, memos, policies and regulations. Although extensive amounts of evidence may be submitted, states often overlook, omit, or fail to adequately address essential aspects of critical elements. In the following pages, critical elements and appropriate evidence are highlighted. Important reminders are provided under the heading of "Notes."

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW
PART II: REQUIREMENTS AT A GLANCE

OVERVIEW

Critical Element	Evidence
<p>The State assessment system may include different types of assessments (e.g., CRT, Augmented NRT, and various types of Alternate Assessments).</p>	<p>Complete the Overview chart provided. Indicate clearly what type(s) of assessments are used to calculate AYP for each required grade and subject area(s).</p>
<p>If different assessments are used (e.g., CRT, Augmented NRT, native language assessments, simplified English versions), document a rational overall design and coherence, as well as alignment with the academic content and achievement standards.</p>	<p>Provide the rationale and blueprint for the system design. Also provide documentation of the processes and reports from studies that clearly indicate coherence, alignment, and comparability.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION I: CONTENT STANDARDS

Note: Academic content standards are the basis for the development of performance descriptors, assessments, and achievement standards. Clearly identify any revisions of the academic content standards that have occurred since ED approval under IASA and how the revision has impacted the assessment system.

Critical Element	Evidence
<p>Reading/language arts and Mathematics: Content standards for each of grades 3 through 8 and the 10-12 grade range</p> <p>Or</p> <p>Content standards for grade ranges with specific content expectations for each grade</p>	<p>Formal adoption/approval of challenging academic content standards for all public schools and students in the state is required. Provide evidence such as state statutes, regulations, State Board minutes or if approved by Chief State School Officer, written documentation of formal approval. A statement in the Peer Review Response is not sufficient to show formal approval/adoption.</p> <p>If the content standards have been adopted/approved in the past and revisions have been made to the standards, provide evidence of the formal adoption/approval of the revised content standards or a timeline for the approval and implementation.</p>
<p>Science: Content standards for grade ranges 3-5, 6-9, and 10-12</p>	<p>Formal adoption/approval of challenging academic content standards for all public schools and students in the state is required by 2005-06. Provide evidence such as state statutes, regulations, State Board minutes or if approved by Chief State School Officer, written documentation of formal approval. A statement in the Peer Review Response is not sufficient to show formal approval/adoption. If they have not been approved yet include your plan and timeline for completion.</p>
<p>Academic content standards must be challenging with rigorous content and encourage the teaching of advanced skills.</p>	<p>Evidence may include aspects of your development process which address higher order thinking skills or studies conducted by an external group. If recommendations from external panels have been made for changes to the academic content standards to make them more rigorous, provide documentation of how the recommendations were addressed and how the academic content standards have been changed.</p>
<p>Involvement of education stakeholders in the development of its academic content standards</p>	<p>Stakeholders include educators, parents, community members, higher education representatives, and representatives for student with disabilities and students with limited English proficiency.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Note: Performance descriptors should be content specific and competency based. If they are generic and not content specific for the grade or grade spans they do not meet the requirement that performance descriptors must be "specific." The lack of specificity in the performance descriptors will also impact alignment of the assessments with standards. Performance descriptors that are the same for all grades do not reflect specificity.

Critical Element	Evidence
<p>Reading/language arts and Mathematics: Achievement standards for each of grades 3 through 8 and the 10-12 grade range</p>	<p>Formal adoption/approval of challenging academic achievement standards for all public schools and students in the state is required by 2005-2006. Provide evidence such as state statutes, regulations, State Board minutes or if approved by Chief State School Officer, written documentation of formal approval. The evidence requirement also applies to any revision of cut scores and levels that has occurred since standards were approved under IASA. The evidence must specifically state that the standards apply to all students, unless alternate achievement standards have been developed for students with the most severe cognitive disabilities. In this case, include the formal adoption/approval of the alternate achievement standards.</p>
<p>Science: Achievement standards for each of the grade spans 3-5, 6-9, and 10-12.</p>	<p>The standards must apply to all public schools and students in the state. As with reading/language arts and mathematics, achievement descriptors for science are due by 2005 – 2006. However, cut scores for science are not due until 2007-08 when the assessments are first administered. Provide evidence such as state statutes, regulations, or State Board minutes. The evidence requirement also applies to any revision of cut scores and levels. The evidence must specifically state that the standards apply to all students, unless alternate achievement standards have been developed for students with the most severe cognitive disabilities. Unsubstantiated statements in the Peer Review Response are not sufficient to show formal approval/adoption. If achievement standards are under development, describe the development process and timelines for completion.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

Critical Element	Evidence
<p>The Academic and Alternate achievement standards must include:</p> <ul style="list-style-type: none"> a) at least 3 levels (2 indicating high achievement and 1 indicating basic achievement); b) descriptors that clearly define the competencies associated with each level; c) cut scores that differentiate between the levels. <p>The State must demonstrate adoption by the Board or other authority.</p>	<p>The submission must address all four criteria. As evidence, provide official summary reports and documentation of the process.</p> <p>Provide date, minutes or other certification</p>
<p>If the State assessment system includes alternate assessments, student achievement may be measured against grade level standards or against alternate achievement standards.</p>	<p>Provide: a) written documentation describing the processes used to develop the alternate assessment(s) and the associated achievement standards; b) documentation of the criteria that local IEP teams should use to determine which students are eligible to participate in the alternate assessment; and c) sample score reports from the alternate assessment or other materials used to communicate the meaning of results to parents.</p>
<p>The development of achievement standards must involve diverse stakeholders.</p>	<p>The development of achievement standards must involve a broad range of stakeholders that reflect the diversity and needs of students in the state. Provide descriptions of the group compositions; minutes or summaries from public hearings and/or public reviews; and reports which indicate the degree of involvement. Special attention should be made to include individuals knowledgeable of and concerned about the various categories of special needs students.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Evidence
<p>Local assessments, if used as part of the State assessment system, must:</p> <ul style="list-style-type: none"> a) be aligned with the state academic and achievement standards; b) be equivalent to one another in terms of coverage, difficulty and quality; c) yield comparable results for all subgroups; d) yield results that can be aggregated with other local assessments and with the state assessments; and e) provide unbiased, rational and consistent determinations for AYP. 	<p>Provide documentation of the processes used by the State to ensure quality and comparability, including reports done by independent evaluators as well as follow-up plans to address any identified deficiencies.</p> <p>Relevant only for states that used local assessments</p>
<p>The State assessment system may employ a matrix design. If a matrix design is used, the multiple forms within a content area and grade must:</p> <ul style="list-style-type: none"> a) all be aligned with the content and achievement standards; b) be equivalent in terms of content coverage, difficulty and quality; and c) yield comparable results. 	<p>Provide technical manuals, state reports and/or reports from independent evaluators on the quality, equivalence, and comparability of the forms.</p> <p>Relevant only for states that use a matrix design</p>
<p>Measures that assess higher-order thinking skills and understanding of challenging content.</p>	<p>Provide test blueprints, item specifications, statistical analyses, descriptions of the processes used to judge the cognitive level of the test or item content. The intent of the evidence is to ensure content coverage in terms of depth, breadth and cognitive load.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 4: TECHNICAL QUALITY

Note: Validity and reliability documentation must be provided for all components of the assessment system, including any alternate assessments. For alternate assessments evidence should include more than interrater reliability. Do not omit evidence of concurrent and consequential validity.

Critical Element	Evidence
Validity of all assessments must be documented.	Several types of validity evidence are noted in the Guidance. To address the purpose of the assessment, provide written documentation, such as State Board policies or state legislative code that defines the purpose of the state assessment system. For the remaining six categories provide written documentation from analyses that provide evidence of validity. If analyses identify deficiencies, provide a plan and timeline to address them.
Reliability of all assessments must be documented.	Three types of reliability evidence are noted in the Guidance. Provide written documentation of analyses that support the reliability of the assessments with the State's own student population. Also provide documentation of the precision of cut scores and the consistency of student classification. If any deficiencies exist (such as in establishing cut scores or in classification consistency), provide a plan and timeline to address them.
The assessment system must be fair and accessible to all students, including students with disabilities and students with limited English proficiency.	The State assessment system must be designed to be valid and accessible for use by the widest possible range of students. Provide evidence that there is an appropriate variety and number of accommodations to meet the needs of students with disabilities and students with limited English proficiency; that individuals with experience and expertise in working with SWD and LEP students were included in test development processes; that educators are trained on the appropriate selection and use of accommodations and alternate assessments.
If different test forms or formats are used the interpretation of results must be consistent.	Provide documentation of equating or linking studies that support the success of the equating or linking, as well as documentation describing how the State has addressed any deficiencies.
The State must establish clear criteria for the administration, scoring, analysis, and reporting components of its assessment system, including alternate assessment(s) and how the system	Provide documentation of management controls or standards and that they have been communicated to the state's contractor(s), LEAs, and schools. Also provide documentation of training and monitoring to ensure that test security and equivalence of administration conditions are maintained across students and schools. Evidence may include test security

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

<p>is monitored to ensure on-going quality.</p> <p>Appropriate accommodations must be available for SWD and LEP students. The state should be able to meaningfully combine scores based on accommodated administrations with scores based on standard administrations.</p>	<p>policies, training and monitoring plans, and management controls shared with contractors.</p> <p>Provide documentation that a) appropriate accommodations are available and that the accommodations are used in a manner consistent with instructional approaches for each student and b) that valid inferences can be drawn from accommodated scores. Evidence may include, but is not limited to, procedures for training and monitoring, and reports from studies on the effect of specific accommodations.</p>
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A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 5: ALIGNMENT

Note: Item difficulty is not a sufficient indicator of cognitive complexity. Further, if the state relies on multiple-choice items alone, the state is responsible for providing evidence that the items span the full range of both difficulty and cognitive complexity specified in its standards.

Critical Element	Evidence
The State must document their coherent approach to ensuring alignment between each of its assessments and the content and achievement standards the assessment is designed to measure.	Provide documentation of the process used including stakeholder involvement, ongoing quality control reviews, how the alignment is maintained over time, reports of alignment studies and how the results were addressed.
Provide evidence of how the State maintains and/or improves alignment of assessments and standards over time.	Documentation should be provided on planned alignment reviews, external studies of alignment, and how assessments are modified if content standards are revised.
Provide evidence that the assessments and standards are aligned comprehensively including range, degree of cognitive complexity, level of difficulty, and depth.	Provide evidence such as assessment plans, assessments blueprints, and item/task specifications. Include information that shows which standards are assessed and which are not, and whether particular items are weighted to produce final student scores. Include any reports of independent alignment studies and analyses of cognitive complexity of the assessments.
Assessments and standards must be aligned in terms of both content (knowledge) and process (how to do it).	Provide evidence that processes and skills required in the content standards are assessed as well as the content.
Assessments and standards must be aligned in terms of degree and pattern of emphasis.	Include information on how the assessments reflect the weights of the content standards and their sub-domains.
Assessments must yield scores that reflect the full range of the state's academic achievement standards.	Provide evidence that the state's assessment system provides a sufficient number of items to assess students at all levels of achievement—for example, basic, proficient, advanced.

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 6: INCLUSION

Note: Describe how the state monitors the application and use of its inclusion policies.

Critical Element	Evidence
<p>Appropriate data must be included to show that all students in the required grades/grade ranges are included in the assessments.</p>	<p>Official reports or other documentation must be provided that show that all students enrolled are assessed in total and in each subgroup.</p>
<p>If alternate achievement standards have been adopted/approved for students with the most significant cognitive disabilities, provide the following:</p> <ul style="list-style-type: none"> (a) guidelines for IEP teams to use in identifying which students should be assessed with alternate achievement standards; (b) documentation on how the State has developed, disseminated information on, and promoted use of appropriate accommodations to increase the numbers of these students participating in the regular assessment system; and (c) procedures to ensure that personnel are trained in administration of all assessments including making use of accommodations. 	<p>Documentation on alternate achievement standards must include all criteria.</p>
<p>Provide guidelines for inclusion of all students with limited English proficiency (LEP) in the required tested grades in the assessment system.</p>	<p>For the 2003-04 assessments only, students in their first year of enrollment in U. S. schools may be exempt from the State's reading/language arts assessment.</p> <p>Provide policies, regulations, guidelines related to inclusion of LEP students including information such as allowed accommodations.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

<p>Provide the following:</p> <ul style="list-style-type: none"> (a) Whether assessments are provided, in the language and form most likely to yield accurate and reliable information on what these students know and can do. (b) Whether the State requires participation of all LEP students regardless of how long they have been enrolled in U. S. schools. (c) Whether the State has adopted policies that LEP students be assessed on reading/English language arts standards in English if they have been enrolled in US schools for three consecutive years or more. 	
<p>Ensure the identification and inclusion of migrant and other mobile students in the assessment system in the required tested grades.</p>	<p>Evidence should include policies, guidelines, and practices used by the State to include mobile students.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

SECTION 7: REPORTS

Critical Element	Evidence
<p>Complete the chart that shows which student subgroups are included in state, district and school reports</p>	<p>Provide sample reports to illustrate.</p>
<p>Provide evidence that the State's reporting system facilitates appropriate, credible, and defensible interpretation and use of the assessment data.</p>	<p>Evidence may include such items as interpretive reports, brochures, and/or score reports showing how assessments relate to the standards; descriptions of training on the interpretation and use of results for educators and the public; and other methods of disseminating information.</p>
<p>Produce individual interpretative, descriptive, and diagnostic reports following each administration of its assessments. The reports must include:</p> <ul style="list-style-type: none"> (a) valid and reliable information regarding achievement on the assessments in relation to the State's academic content and achievement standards; (b) information for parents, teachers, and principals in a format and language that is understandable, helps them address a student's specific academic needs, and is accompanied by interpretive guidance; and <p>Provide documentation showing how the State disseminates these reports as soon as possible after the assessments.</p>	<p>Evidence may include examples of the individual student reports for the required grades tested, interpretive guides, scoring and reporting timelines.</p>
<p>Ensure that student-level assessment data are maintained securely to protect student confidentiality.</p>	<p>Evidence should include policies and procedures to safeguard and limit access to individual student assessment data, including any data files released for research purposes.</p>

A USER'S GUIDE TO PREPARING SUBMISSIONS FOR THE NCLB STANDARDS AND ASSESSMENTS PEER REVIEW

Critical Element	Evidence
Produce itemized score analyses so that parents, teachers, and principals can interpret and address the specific academic needs of students.	The itemized score analyses should include results for each of its academic content standards and each of the sub-domains/strands within these standards, to the extent that these sub-scores are based on enough items or score points to be meaningful.



**Standards and Assessments
Peer Review Guidance:
Information and Examples for
Meeting Requirements of the
No Child Left Behind Act of 2001**



**Revised December 21, 2007 to include
Modified academic achievement standards
(Revised with technical edits January 12, 2009)**

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

TABLE OF CONTENTS

I. INTRODUCTION

**STATUTORY AND REGULATORY REQUIREMENTS FOR NCLB
ASSESSMENT SYSTEMS2**

STATE ASSESSMENT SYSTEM DESIGN6

THE PEER REVIEW PROCESS7

ROLE OF PEER REVIEWERS8

REVIEW PROCESS8

REVIEW TEAMS8

STATE’S ROLE9

II. SECTION 1

**A SINGLE STATEWIDE SYSTEM OF CHALLENGING ACADEMIC
CONTENT STANDARDS APPLIED TO ALL PUBLIC SCHOOLS AND LEAS10**

III. SECTION 2

**A SINGLE STATEWIDE SYSTEM OF CHALLENGING ACADEMIC
ACHIEVEMENT STANDARDS APPLIED TO ALL PUBLIC SCHOOLS AND
LEAS16**

IV. SECTION 3

**A SINGLE STATEWIDE SYSTEM OF ANNUAL HIGH-QUALITY
ASSESSMENTS29**

V. SECTION 4

A SYSTEM OF ASSESSMENTS WITH HIGH TECHNICAL QUALITY39

VI. SECTION 5

**ALIGNMENT OF ACADEMIC CONTENT STANDARDS, ACADEMIC
ACHIEVEMENT STANDARDS, AND ASSESSMENTS50**

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

VII. SECTION 6

INCLUSION OF ALL STUDENTS IN THE ASSESSMENT SYSTEM.....60

VIII. SECTION 7

AN EFFECTIVE SYSTEM OF ASSESSMENT REPORTS68

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

INTRODUCTION

Raising academic standards for all students and measuring student achievement to hold schools accountable for educational progress are central strategies for promoting educational excellence and equity in our schools. The *No Child Left Behind Act of 2001* (NCLB) reformed Federal educational programs to support State efforts to establish challenging standards, to develop aligned assessments, and to build accountability systems for districts and schools that are based on educational results. In particular, NCLB includes explicit requirements to ensure that students served by Title I are given the same opportunity to achieve to high standards and are held to the same high expectations as all other students in each State.

Building on the foundation of standards and assessments required of States by the Improving America's Schools Act of 1994 (IASA), NCLB requires high-quality academic assessments, accountability systems, and teacher preparation and training aligned with challenging State academic standards so that students, teachers, parents, and administrators can measure progress against common expectations for students' academic achievement. NCLB extends IASA's assessment requirements to include, by school year 2005-06, annual assessments in reading/ language arts and mathematics in all grades 3 through 8 and assessments administered at least once in grades 10 through 12. In addition, NCLB requires States to develop academic content standards in science by 2005-06 and aligned assessments based on those standards by 2007-08. The science assessments must be administered at least once in each of three grade spans: 3-5, 6-9, and 10-12.

The Office of Elementary and Secondary Education issues this guidance (1) to inform States about what would be useful evidence to demonstrate that they have met NCLB standards and assessments requirements; and (2) to guide teams of peer reviewers who will examine the evidence submitted by States and advise the Department as to whether a State has met the requirements. The intent is to help States develop comprehensive assessment systems that provide accurate and valid information for holding districts and schools accountable for student achievement against State standards. Although this document addresses each requirement separately, reviewers and States should recognize that the requirements are interrelated and that decisions about whether a State has met the requirements will be based on a comprehensive examination of the evidence submitted.

This draft guidance represents the Department's current thinking on this topic. It does not create or confer any rights for or on any person. This guidance does not impose any requirements beyond those required under applicable law and regulations.

This draft guidance revises the Department's guidance, entitled "Standards and Assessments Peer Review Guidance: Information and Examples for Meeting Requirements of the No Child Left Behind Act of 2001," issued on April 28, 2004. The only substantive changes made are in the language added to reflect the State's option to

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

develop modified academic achievement standards and an alternate assessment aligned with those standards, now permitted under regulation.

If you are interested in commenting on this guidance, please email us your comment at oes@ed.gov.

Purpose of Guidance

The Office of Elementary and Secondary Education issues this guidance to provide States with information to prepare for the Department's peer review of compliance with the State assessment systems requirements under the Elementary and Secondary Education Act of 1965, as amended, and implementing regulations.

This guidance represents the Department's current thinking on this topic. It does not create or confer any rights for or on any person. This guidance does not impose any requirements beyond those required under applicable law and regulations.

This guidance supersedes the Department's guidance, entitled Standards and Assessments Peer Review Guidance: Information and Examples for Meeting Requirements of the No Child Left Behind Act of 2001, issued on April 28, 2004.

Statutory and Regulatory Requirements for NCLB State Assessment Systems

Under NCLB, States must develop challenging academic standards that have the following characteristics:

- o Be the same academic standards that the State applies to all public schools and public school students in the State;
- o Include the same knowledge, skills, and levels of achievement expected of all students; and
- o Include at least mathematics, reading/language arts, and, beginning in the 2005-2006 school year, science.

Academic **content** standards must specify what all students are expected to know and be able to do; contain coherent and rigorous content; and encourage the teaching of advanced skills. A State's academic content standards may either be grade-specific or may cover more than one grade if grade-level content expectations are provided for each of grades 3 through 8. At the high school level, the academic content standards must define the knowledge and skills that all high school students are expected to have in at least reading/language arts, mathematics, and, beginning in the 2005-06 school year, science, irrespective of course titles or years completed.

Academic **achievement** standards must be aligned with the State's academic content standards. For each content area, a State's academic achievement standards must include

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

at least two levels of achievement (proficient and advanced) that reflect mastery of the material in the State's academic content standards, and a third level of achievement (basic) to provide information about the progress of lower-achieving students toward mastering the proficient and advanced levels of achievement.

For each achievement level, a State must provide descriptions of the competencies associated with that achievement level and must determine the assessment scores ("cut scores") that differentiate among the achievement levels. The State must also provide a description of the rationale and procedures used to determine each achievement level. Unlike content standards, which may address a cluster of grade levels, academic achievement standards must be developed for each grade and subject assessed, even if the State's academic content standards cover more than one grade.

For certain students with disabilities, the Department's regulations afford a State the option to develop alternate and modified academic achievement standards as follows:

For students with the most significant cognitive disabilities, a State may develop, through a documented and validated standards-setting process, alternate academic achievement standards that—

- o Are aligned with the State's academic content standards;
- o Promote access to the general curriculum; and
- o Reflect professional judgment of the highest achievement standards possible.

For students with disabilities whose progress in response to appropriate instruction, including special education and related services designed to address the students' individual needs, is such that, even if significant growth occurs, the students' IEP Teams are reasonably certain that the students will not achieve grade-level proficiency within the year covered by their IEPs, a State may develop modified academic achievement standards that—

- o Are aligned with the State's academic content standards for the grade in which the student is enrolled;
- o Are challenging for eligible students, but may be less difficult than the grade-level academic achievement standards;
- o Include at least three achievement levels; and
- o Are developed through a documented and validated standards-setting process that includes broad stakeholder input, including persons knowledgeable about the State's academic content standards and experienced in standards setting and special educators who are most knowledgeable about students with disabilities.

Under NCLB, the State assessment system must have the following characteristics:

- o Assessments must be aligned with State academic content and achievement standards, and they must provide coherent information about student attainment of State standards in at least mathematics and reading/language arts. Beginning in 2007-08, the system must also include assessments in science.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

- The same assessment system must be used to measure the achievement of all students.
- The assessment system must be designed to be valid and accessible for use by the widest possible range of students, including students with disabilities and students with limited English proficiency (LEP).
- Initially, assessments had to be administered annually to students in at least one grade in each of three grade ranges--grades 3 through 5, grades 6 through 9, and grades 10 through 12. Beginning in 2005-06, the mathematics and reading/language arts assessments must be administered annually to students in each of grades 3 through 8 in addition to one of the grades 10 through 12. Beginning in 2007-08, science assessments must be administered annually to students in at least one grade in each of three grade ranges—grades 3 through 5, grades 6 through 9, and grades 10 through 12.
- The assessment system must provide for--
 - Participation of all students in the grades being assessed;
 - Reasonable adaptations and appropriate accommodations for students with diverse learning needs, where such adaptations or accommodations are necessary to measure the achievement of those students relative to State standards; and
 - Inclusion of LEP students, who must be assessed in a valid and reliable manner and provided reasonable accommodations including, to the extent practicable, assessments in the language and form most likely to yield accurate and reliable information on what they know and can do in academic content areas, until such students have achieved English language proficiency; except that the reading/language arts achievement of any student who has attended school in the United States for three consecutive years must be tested in English.
- The assessment system must involve multiple approaches with up-to-date measures of student achievement, including measures that assess higher-order thinking skills and understanding of challenging content.
- Assessments must be valid and reliable for the purposes for which the assessment system is used and be consistent with relevant, nationally recognized professional and technical standards.
- The assessment system must be supported by evidence from test publishers or other relevant sources that the assessment system is of adequate technical quality for each purpose required under the Act.
- The assessment system must objectively measure academic achievement, knowledge, and skills without evaluating or assessing personal or family beliefs and attitudes, except that this provision does not preclude the use of constructed-response, short answer, or essay questions, or items that require a student to analyze a passage of text or to express opinions.
- Assessment results must be disaggregated within each school and district by gender, major racial and ethnic groups, English proficiency status, migrant status, students

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

with disabilities as compared to students without disabilities, and economically disadvantaged students as compared to students who are not economically disadvantaged. Such disaggregation is not required when the number of students in a category is insufficient to yield statistically reliable information or if the results would reveal personally identifiable information about an individual student.

- The assessment system must provide individual student interpretive, descriptive, and diagnostic reports that include individual scores or other information on the attainment of student achievement standards and help parents, teachers, and principals to understand and address the specific academic needs of students. These reports must be provided as soon as practicable after the assessment is given and in an understandable and uniform format.

A State's assessment system must provide for one or more alternate assessments for a child with a disability who cannot participate in all or part of the State assessments, even with appropriate accommodations. A State's alternate assessment must—

- Yield results for the grade in which the student is enrolled in at least reading/language arts, mathematics, and, beginning in 2007-08, science; or
- If a State develops alternate academic achievement standards for students with the most cognitive disabilities, yield results that measure the achievement of those students relative to the alternate achievement standards; or
- If a State develops modified academic achievement standards for eligible students with disabilities,
 - Be aligned with the State's grade-level academic content standards;
 - Yield results that measure the achievement of those students separately in reading/language arts and mathematics relative to the modified achievement standards;
 - Meet the requirements of the State's regular assessments, including those relating to validity, reliability, and high technical quality; and
 - Fit coherently in the State's overall assessment system.

Students may be assessed based on modified academic achievement standards in one or more subjects for which assessments are administered. A State may develop a new alternate assessment or adapt an assessment based on grade-level academic achievement standards.

Under NCLB, the statewide assessment system is the primary means for determining whether schools and school districts are making adequate yearly progress (AYP) toward educating students to high standards. In determining the progress of schools, States must include scores of all students enrolled in the school for at least a full academic year. In determining the progress of school districts, States must include scores of all students enrolled in schools in the district for a full academic year, even if they have attended several different schools.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

Because NCLB makes the State assessment system central to holding schools and districts accountable, this document focuses on the uses of the State assessment system at the school and district levels. Nevertheless, peer reviewers should note that the State assessment system is also required to report results at the level of individual students.

State Assessment System Design

A State may include in its academic assessment system either (or both) criterion-referenced assessments and assessments that yield national norms, provided that, if the State uses only assessments referenced against national norms at a particular grade, those assessments are augmented with additional items as necessary to measure accurately the depth and breadth of the State's student academic achievement standards.

A State that includes a combination of criterion and norm-referenced assessments in its assessment system must demonstrate that the system has a rational and coherent design that:

- Identifies the assessments to be used;
- Indicates the relative contribution of each assessment towards ensuring alignment with the State's academic content standards and toward determining the adequate yearly progress of each school and local educational agency (LEA); and
- Provides information regarding the progress of students relative to the State's academic standards.

A State's assessment system may employ either a uniform set of assessments statewide or a combination of State and local assessments. States using a combination of State and local tests must address issues of comparability and equivalency. For example, will proficiency on one local assessment be comparable to proficiency on another local assessment? Additionally, States must consider how they will aggregate to the State level the results from local assessments, as is required by NCLB.

States that choose to include a combination of State and local assessments will need to demonstrate that their system has a rational and coherent design that--

- Identifies the assessments to be used at the State and local levels;
- Indicates the relative contribution of each assessment toward ensuring alignment with the State's academic content standards and toward determining the adequate yearly progress of each school and LEA; and
- Provides information regarding the progress of students relative to the State's academic standards.

Further, a State that includes local assessments must also--

- Establish technical criteria to ensure that each local assessment addresses the depth and breadth of the State's academic standards; is valid, reliable, and of high technical

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

- quality; expresses student results in terms of the State's academic achievement standards; and is designed to provide a coherent system across grades and subjects.
- Demonstrate that all local assessments are equivalent in their content coverage, difficulty, and quality to one another and to State assessments; have comparable validity and reliability with respect to groups of students described in section 1111(b)(2)(C)(v); and provide unbiased, rational, and consistent determinations of the annual progress of schools and LEAs within the State.
 - Review and approve each local assessment to ensure that it meets or exceeds the State's technical quality for assessments.
 - Be able to aggregate, with confidence, data from local assessments to determine whether the State has made adequate yearly progress.

In implementing their assessment system, States have two main responsibilities: (1) they must develop, score, and report findings from State assessments, and (2) they must promulgate rules and procedures for local assessment systems if the State has such systems, as well as monitor them, to ensure technical quality and compliance with Title I requirements. The second function is particularly significant in assessment systems with strong local responsibility.

The Peer Review Process

To determine whether States have met NCLB standards and assessments requirements, the U.S. Department of Education (ED) will use a peer review process involving experts in the fields of standards and assessments. The review will evaluate States' assessment systems only against NCLB requirements. In other words, reviewers will examine characteristics of a State's assessment system that will be used to hold schools and school districts accountable under NCLB. They will not assess compliance of States' assessment systems with other Federal laws such as Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or provisions of the Individuals with Disabilities Education Act (IDEA). The fact that an assessment system meets NCLB assessment requirements does not necessarily mean that it complies with other laws. For guidance on compliance with Federal civil rights laws, States may consult with the Department of Education's Office for Civil Rights. For guidance on compliance with the IDEA, States may consult with the Office of Special Education Programs.

Furthermore, the peer review process will not directly examine a State's academic standards, assessment instruments, or specific test items. Rather, it will examine *evidence* compiled and submitted by each State that is intended to show that its assessment system meets NCLB requirements. Such evidence may include, but is not limited to, results from alignment studies; results from validation studies; written policies, if appropriate, on providing accommodations for students with disabilities and LEP students; written policies on native-language testing of LEP students (if applicable); and score reports showing disaggregation of student achievement data by the statutorily specified student subgroups. Peer reviewers will advise the Department on whether a State assessment system meets a particular requirement based on the totality of evidence

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

submitted. Peer reviewers will also provide constructive feedback to help States strengthen their assessment systems.

Role of Peer Reviewers

Using this *Guidance* as a framework, the peer reviewers will provide their expert professional judgment, based on evidence supplied by the State, of the degree to which the State's final assessment system complies with the requirements of Title I. Their evaluation of the final assessment system will serve two purposes. First, the peer reviewers' comments will be sent to the State as a technical assistance tool to support improvements in the system. Second, the peer reviewers' comments will inform the decision of the Assistant Secretary for Elementary and Secondary Education regarding approval of each State assessment system.

Review Process

The materials submitted to the Department by the State are sent to each member of the peer review team in advance of a review meeting to allow for a thorough independent review based on the *Guidance*. At the review meeting, the team of at least three peer reviewers discusses a State's system, as represented by the evidence provided by the State, and records their opinions.

For the Final Assessment Review, evidence means documents such as actual State statutes, State regulations, test administration manuals, board resolutions, or assessment reports. Sufficient evidence must be provided to convince an experienced professional that the assessment system is being implemented in a manner that meets NCLB requirements.

This *Guidance* is a framework used to make a series of analytic judgments. Reviewers will address each of the peer reviewer questions in the *Guidance*, evaluating the status of each component of the system on the basis of the documentation provided by the State. A brief statement of the degree to which the assessment system meets the NCLB requirements and the changes needed, if any, summarizes this analytic examination of the assessment system.

Review Teams

The peer review team prepares a report based on its examination of the materials submitted by the State. In each team, one person will be designated team leader; this person is responsible for seeing that peer notes are clear, complete, and delivered to ED staff at the end of the review meeting. The peer reviewers are responsible for providing feedback to each State that is informative and is consistent with professional standards and best practice. Generally, if changes in a State assessment system are required in order to meet Title I requirements, peer reviewers will present options rather than prescriptive instructions.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

An ED staff person, assigned as a resource to each team, is responsible for assisting the review team in obtaining adequate and appropriate information from the State prior to the review meeting; contacting the State during the review meeting to obtain clarification or additional information needed by the reviewers; securing resources needed to support the team during the meeting; and accurately reporting the review team's deliberations as ED determines the State's compliance status. ED staff may question, or even challenge, the peer reviewers in order to promote clarity and consistency with the *Guidance*; they will not, however, impose their views or require substantive changes in the peer reviewers' report.

States are invited to submit evidence of NCLB compliance consistent with the peer review schedule announced by the Department.

State's Role

To facilitate the peer review process, a State should organize its evidence with a brief narrative response to each of the "peer reviewer questions" in the *Guidance*. The Department will provide a template to the State to help organize supporting documents that constitute evidence of meeting the assessment requirements. The State will be asked to designate staff who can be contacted by phone during the review to provide clarification.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

Section 1: A single statewide system of challenging academic content standards applied to all public schools and LEAs.

Reference in NCLB legislation: Sec. 1111(b)(1)
 Reference in final regulations: Sec. 200.1

Overview

As the starting point for establishing a high quality assessment and accountability system under NCLB, States must develop a set of challenging academic content standards that define what all public school students in the State are expected to know and be able to do. A State's academic content standards are to be applied to all public elementary and secondary school students.

The table below provides a summary of the content, grade level, and timeline requirements for the academic content standards.

Content Area	Grade levels	Due	Notes
Reading/language arts	<ul style="list-style-type: none"> • Each grade: 3 - 8; <li style="text-align: center;">and • Grade range: 10 - 12 	May 2003	<ul style="list-style-type: none"> • If a State's standards cover grade ranges (e.g., 3 - 5 and 6 - 8) rather than the specific grades, 3 - 8, the State must develop grade-specific expectations in addition to its standards. • At the high school level, standards must define the knowledge and skills that are expected of all students prior to graduation. They may be linked to specific courses if all students must take these courses in order to graduate.
Mathematics	<ul style="list-style-type: none"> • Each grade: 3-8; <li style="text-align: center;">and • Grade range: 10-12 		
Science	<ul style="list-style-type: none"> • Grade ranges: 3 - 5; 6 - 9; 10 - 12 	By the 2005 - 2006 school year	<ul style="list-style-type: none"> • At the high school level, standards must define the knowledge and skills that are expected of all students prior to graduation. They may be linked to specific courses if all students must take these courses in order to graduate.

These standards must be rigorous and encourage the teaching of advanced skills. This means that a State should not adopt "minimum competency" standards or otherwise encourage low expectations for any students. Further, these standards must be coherent. That is, they must include only content that is meaningful with regard to the "domain", that is appropriate for the grade level specified, and that reflects clearly articulated progressions across grade levels.

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 1: CONTENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>1.1</p> <p>(a) Has the State formally approved/adopted, by May 2003, challenging academic content standards in reading/language arts and mathematics that –</p> <ul style="list-style-type: none"> • cover each of grades 3-8 and the 10-12 grade ranges, <u>or</u> • if the academic content standards relate to grade ranges, include specific content expectations for each grade level? <p style="text-align: center;">AND</p> <p>(b) Are these academic content standards applied to <i>all</i> public schools and students in the State?</p>	<p>The State has formally approved/adopted academic content standards for all students in reading/language arts and mathematics that are specific to each grade level 3 through 8 and for the 10-12 grade range, and represent the full range of knowledge and skills that students should be expected to know and be able to do by the time they graduate.</p> <p>The State has formally approved/adopted academic content standards or frameworks in reading/language arts and mathematics for the 3-5, 6-9, and 10-12 grade ranges. These standards or frameworks include grade-specific content expectations for all students in each grade level between 3 and 8 and for specific reading/language arts and mathematics courses, or combinations of courses that all students must take in the 10-12 grade range.</p> <p>Possible Evidence</p> <ul style="list-style-type: none"> • Written documentation in the form of State Board of Education minutes, regulations, official reports, letters or memoranda from the State to the LEAs, or other existing documents (i.e., not written by the State only to fulfill the requirements of the peer review process). Or, in States where the Chief State School Officer has the power to approve standards, written documentation of the formal approval of the final form of the reading/language arts and mathematics standards. 	<p>The State has developed academic content standards but these standards have not been formally approved/adopted by the State.</p> <p>The State has formally approved/adopted academic content standards in reading/language arts but not in mathematics.</p> <p>The State has formally approved/adopted academic content standards in both reading/language arts and mathematics but these standards do not include grade-specific content expectations.</p> <p>At the high school level, the State's formally approved/adopted standards provide only course descriptions for courses that some, but not all, students take in the 10-12 grade range. These descriptions do not represent the full range of knowledge and skills that students should be expected to know and be able to do by the time they graduate.</p> <p>The State does not clearly state how its academic content standards are to be applied to charter schools and other special purpose schools, such as detention centers, residential centers, and schools that serve students with special needs such as students with disabilities or students with limited English proficiency.</p> <p>The State's statutes, policies, and guidance documents do not specifically state that its academic content standards apply to all public school students, including students with</p>

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

	<ul style="list-style-type: none"> • Letter from ED approving the content standards for grades 3 through 8 and high school if these content standards have not been changed in any way since approval. • Documents that include or are based on the academic content standards explicitly address the needs of students with disabilities and limited English proficient students. 	<p>disabilities and students who are not proficient in English.</p>
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List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

SECTION 1: CONTENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>1.2 Has the State formally approved/adopted, academic content standards in science for elementary (grades 3-5), middle (grades 6-9), and high school (grades 10-12)? This must be completed by school year 2005-2006.</p>	<p>The State has formally approved/adopted academic content standards in science for the 3-5, 6-9, and 10-12 grade ranges.</p> <p>The State has formally approved/adopted academic content standards or frameworks in science for the 3-5 and 6-9 grade ranges and for a specific science course or combination of courses that all students must take in the 10-12 grade range in order to graduate from high school.</p> <ul style="list-style-type: none"> • Written documentation in the form of State Board of Education minutes, regulations, official reports, letters or memoranda from the State to the LEAs, or other existing documents (i.e., not written by the State only to fulfill the requirements of the peer review process). Or, in States where the Chief State School Officer has the power to approve standards, written documentation of the formal approval of the final form of the science standards. 	<p>The State has developed academic content standards in science but these standards have not been formally approved/adopted by the State.</p> <p>The State has defined a process and timeline for developing and formally approving/adopting academic content standards in science but has not completed this process.</p> <p>At the high school level, the State's formally approved/adopted standards provide only course descriptions that do not represent the full range of knowledge and skills that students should be expected to know and be able to do by the time they graduate.</p> <p>At the high school level, the State's formally approved/adopted standards provide only course descriptions for courses that are not required for high school graduation.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 1: CONTENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>1.3 Are these academic content standards challenging? Do they contain coherent and rigorous content and encourage the teaching of advanced skills?</p>	<p>The State has a process for the development of academic content standards that includes expectations for higher grade levels that build upon and extend beyond the expectations for lower grade levels and incorporate higher-order thinking skills and understanding.</p> <p>2008-2009</p> <ul style="list-style-type: none"> A detailed description of the process the State used in developing its standards to review their rigor, such as its participation in a process to benchmark them to nationally recognized standards. This process should include substantive input from relevant stakeholders and individuals or organizations with expertise in standards development. 	<p>The State has developed a process and begun a plan for the development of academic content standards, but has not completed the process.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 1: CONTENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>1.4 Did the State involve education stakeholders in the development of its academic content standards?</p>	<p>The State's process for developing its academic content standards involved diverse panels of educators, higher education representatives, parents, and community members familiar with the instructional needs of students with disabilities and students with limited English proficiency, as well as public hearings and consideration of public commentary on the standards.</p> <p style="text-align: center;">Acceptable Evidence</p> <ul style="list-style-type: none"> • Descriptions of the composition of groups involved in the development of the academic content standards indicate that, relative to all stakeholders in the population in general, a broad range of stakeholders was represented in the development process. • A description of how the standards were developed with input from many people in and outside of education. Such input might come through committees of curriculum, instruction, and content specialists <i>and</i> also from public hearings, public comment, or public review. • An assurance of sufficient diversity in the composition of groups involved in the development of the standards, including individuals knowledgeable of and concerned about the various categories of students with special needs, such as students with disabilities or students with limited English proficiency. 	<p>The State's process for developing its academic content standards involved only K-12 educators and staff from the State Department of Education.</p> <p>The make-up of the State's academic content standards' panels did not include representatives of students with special needs, such as students with disabilities or students with limited English proficiency, or otherwise reflect the diversity of the State's population.</p> <p>The State's process for developing its academic content standards did not include an opportunity for public review and feedback.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

Section 2: A single statewide system of challenging academic achievement standards applied to all public schools and LEAs.

Reference in NCLB legislation: Sec. 1111(b)(1)
Reference in final regulations: Sec. 200.1

Overview

To establish the level of achievement a State expects of all public schools and LEAs, the NCLB requires States to develop a set of challenging academic achievement standards for every grade and content area assessed. These standards are to be applied to all public schools and LEAs and ensure inclusion of those students with disabilities and students who are not yet proficient in English.

Achievement Levels

Academic achievement standards for each grade-and-content area combination must include at least three achievement levels, which the State may label 'proficient,' 'advanced,' and 'basic.' Of these levels, proficient and advanced must represent high achievement and basic must represent achievement that is not yet proficient. These labels may vary from State to State, such as "meeting and mastering" the State standards that would equate to the proficient and advanced labels as described in the statute. A State may use more than three levels, but must clearly indicate which level represents the proficient performance expected of all students.

Descriptors and Cut Scores

In addition to these levels, the State's academic achievement standards must include descriptions of the content-based competencies associated with each level. The State must also determine which specific scores on its assessments distinguish one level from another. These "cut scores" must be established through a process that involves both expert judgments and consideration of assessment results.

Alignment

As a set, the academic achievement standards must be aligned with the State's academic content standards in that they capture the full range and depth of knowledge and skills defined in the State's challenging, coherent, and rigorous academic content standards.

Timeline

Academic achievement standards in reading/language arts and mathematics for each of grades 3 through 8 and the 10-12 grade range must be in place by the 2005-06 school year. Academic achievement descriptors for science in grade spans 3-5, 6-9, and 10-12 must be in place by the 2005-06 school year and cut scores for science by the 2007-08 school year. States can develop the level and description components of the standards prior to the availability of assessment data that will be necessary to set the cut score components of these standards.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

Modified academic achievement standards

A State may define modified academic achievement standards and use those standards to evaluate the achievement of students with disabilities whose progress in response to appropriate instruction, including special education and related services designed to address the students' individual needs, is such that, even if significant growth occurs, the students' IEP Teams are reasonably certain that the students will not achieve grade-level proficiency within the year covered by their IEPs. Modified academic achievement standards must—

- Be aligned with the State's academic content standards for the grade in which the student is enrolled;
- Be challenging for eligible students, but may be less difficult than the grade-level academic achievement standards;
- Include at least three achievement levels; and
- Be developed through a documented and validated standards-setting process that includes broad stakeholder input, including persons knowledgeable about the State's academic content standards and experienced in standards setting and special educators who are most knowledgeable about students with disabilities.

The State may choose to develop modified academic achievement standards in selected subjects and grades. The State defines modified academic achievement standards through a documented and validated standards-setting process similar to the process used to establish achievement standards on the general assessment. In addition, the State may, but is not required to, link results based on modified academic achievement standards to the distribution of results from the general test. It is not acceptable, however, for a State to define modified academic achievement standards as simply a lower cut score on the general test because this procedure alone does nothing to provide a test that is more accessible or understandable for eligible students.

Alternate academic achievement standards

A State is permitted to define alternate achievement standards to evaluate the achievement of students with the most significant cognitive disabilities. Alternate academic achievement standards must—

- Be aligned with the State's academic content standards (i.e., include knowledge and skills that link to grade-level expectations);
- Promote access to the general curriculum; and
- Reflect professional judgment of the highest learning standards possible. The State defines alternate academic achievement standards through a documented and validated standards-setting process similar to the process used to establish academic achievement standards on the general assessments.

For students with the most significant cognitive disabilities who are mainstreamed, the concept of alternate academic achievement standards related to a specific grade level may be ambiguous. For practitioners, the question is whether the alternate academic achievement standards for this group of students must be clearly different from grade to grade. The alternate academic achievement standards should be defined in a way that supports individual growth because of their linkage to different content across grades. When examined across grades, however, the alternate academic achievement standards are not likely to show the same clearly defined advances in cognitive complexity as the academic

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

achievement standards set for the general test or an alternate assessment based on modified or grade-level achievement standards. States are expected to rely on the judgment of experienced special educators and administrators, higher education representatives, and parents of students with disabilities as they define alternate academic achievement standards and to define alternate academic achievement standards in a manner that provides an appropriate challenge for students with the most significant cognitive disabilities as they move through their schooling.

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.1</p> <p>Has the State formally approved/adopted challenging academic achievement standards in reading/language arts and mathematics for each of grades 3 through 8 and for the 10-12 grade range? These standards were to be completed by school year 2005-2006.</p> <p>Has the State, through a documented and validated standards-setting process, approved/adopted <u>modified</u> academic achievement standards for eligible students with disabilities? If so, in what subjects and for which grades?</p> <p>Has the State approved/adopted <u>alternate</u> academic achievement standards for students with the most significant cognitive disabilities? If so, in what subjects and for which grades?</p> <p>Note: If alternate or modified academic achievement standards in reading/language arts or mathematics have not been developed/adopted and approved, then the alternate assessments for all students with disabilities must be held to grade-level academic achievement standards.</p>	<p>The State has formally approved/adopted academic achievement standards in reading/language arts and mathematics that are specific to each grade level between 3 through 8 and for the 10-12 grade span.</p> <p>The State has formally approved/adopted alternate academic achievement standards or modified academic achievement standards in reading/language arts and mathematics (and beginning in 2007-08, science) and specifies in what subjects and for what grades.</p> <p>2007-2008</p> <ul style="list-style-type: none"> Written documentation in the form of State Board of Education minutes, regulations, official reports, letters or memoranda from the State to the LEAs, or other existing documents (i.e., not written by the State only to fulfill the requirements of the peer review process). Or, in States where the Chief State School Officer has the power to approve standards, written documentation of the formal approval of the final form of the reading/language arts and mathematics standards. Documentation that describes how modified academic achievement standards were defined and explains how they are aligned with grade-level content standards. Documentation that illustrates how alternate academic achievement standards were defined and explains how they are linked to grade-level 	<p>The State has developed academic achievement standards in reading/language arts and mathematics that are specific to each grade level between 3 and 8 and for the 10-12 grade range, but these standards have not been formally approved/adopted by the State.</p> <p>The State has formally approved/adopted academic achievement standards in reading/language arts but not in mathematics.</p> <p>The State has not approved/adopted grade-specific academic achievement standards in reading/language arts and mathematics.</p> <p>The State has adopted a single modified achievement standard in reading for the grade cluster 6-8, rather than modified academic achievement standards for each grade 6-8.</p>

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

	<p>content.</p> <ul style="list-style-type: none">• A description of the process for revising cut scores and subsequent academic achievement standards <i>and</i> documentation that these revisions have been approved or formally submitted for approval by ED.	
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List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.2 Has the State formally approved/adopted academic achievement descriptors in science for each of the grade spans 3-5, 6-9, and 10-12 as required by school year 2005-06?</p> <p>Has the State formally approved/adopted academic achievement cut scores in science for each of the grade spans 3-5, 6-9, and 10-12 as required by school year 2007-08?</p> <p>Has the State formally approved/adopted modified academic achievement standards in science? If so, for which grades?</p> <p>Has the State formally approved/adopted alternate academic achievement standards for students with the most significant cognitive disabilities in science? If so, for which grades?</p> <p>Note: If alternate or modified academic achievement standards in science have not been adopted and approved, then all students with disabilities must be held to grade-level academic achievement standards.</p>	<p>The State has formally approved/adopted academic achievement standards in science for each of the grade spans 3-5, 6-9, and 10-12.</p> <p>The State has formally approved/adopted alternate academic achievement standards in science for students with the most significant cognitive disabilities.</p> <p>The State has formally approved/adopted modified academic achievement standards in science in one or more grade spans (e.g., grades 10-12).</p> <p>Example:</p> <ul style="list-style-type: none"> Written documentation in the form of State Board of Education minutes, regulations, official reports, letters or memoranda from the State to the LEAs, or other existing documents (i.e., not written by the State only to fulfill the requirements of the peer review process). Or, in States where the Chief State School Officer has the power to approve standards, written documentation of the formal approval of the final form of the science achievement standards. 	<p>The State has developed academic achievement standards in science for each of the grade spans 3-5, 6-9, and 10-12 but these standards have not been formally approved/adopted by the State.</p> <p>The State has developed alternate academic achievement standards in science, but the alternate achievement standards are not linked to the State's content standards in science for the grade span tested.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.3</p> <p>1. Do these academic achievement standards (including modified and alternate academic achievement standards, if applicable) include for each content area –</p> <p>(a) at least three levels of achievement, including two levels of high achievement (proficient and advanced) that determine how well students are mastering a State’s academic content standards and a third level of achievement (basic) to provide information about the progress of lower-achieving students toward mastering the proficient and advanced levels of achievement; <u>and</u></p> <p>(b) descriptions of the competencies associated with each achievement level; <u>and</u></p> <p>(c) assessment scores (“cut scores”) that differentiate among the achievement levels and a rationale and procedure used to determine each achievement level?</p> <p>2. If the State has adopted either modified or alternate achievement standards, has it developed guidelines for IEP teams to use in deciding when an individual student should be assessed on the basis of modified academic achievement standards in one or more subject areas, or assessed on the basis of alternate achievement standards?</p>	<p>The State has formally approved/adopted academic achievement standards that comprise three (or more) levels of achievement, each of which is associated with a description of the competencies expected of each required grade or grade range in high school and delineated by specific scores on the aligned assessment. Rationale and procedures for setting cut scores includes the consideration of impact data but is based primarily on expert judgments about content-based expectations. (<i>See elements 2.1 and 2.2 for required grades and grade ranges.</i>)</p> <p>The State has adopted academic achievement standards for every grade assessed, even if the State’s academic content standards cover more than one grade.</p> <p style="text-align: center;">Possible Evidence</p> <ul style="list-style-type: none"> • Documentation in the form of State Board of Education minutes, official reports, letters or memoranda to the LEAs, (i.e., not written by the State only to fulfill the requirements of the peer review process) that refers to the levels, descriptions, and cut scores that make up the State’s academic achievement standards, and alternate and modified academic achievement standards (if applicable). • Training materials or guidelines for IEP Teams to apply when deciding whether an individual student should be assessed on 	<p>The State has developed academic achievement standards that comprise three (or more) levels of achievement but these standards have not been formally approved/adopted.</p> <p>The State has formally approved/adopted academic achievement standards that comprise only two levels of achievement.</p> <p>The State’s academic achievement standards do not reflect the full range of the content expectations for each grade level, as specified in the State’s academic content standards.</p> <p>Rationale and procedures for setting cut scores were based solely or substantially on impact data rather than on content-based expectations.</p> <p>The State has used national norms as the sole basis for setting cut scores.</p> <p>The State has relied on “instructional level” as the basis for interpreting scores rather than the academic achievement standard, modified achievement standard or alternate achievement standard for the grade in which the student is enrolled.</p>

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

	the basis of alternate or modified academic achievement standards.	
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List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.4 With the exception of students with disabilities to whom modified or alternate academic achievement standards apply, are the grade-level academic achievement standards applied to <i>all</i> public elementary and secondary schools and <i>all</i> public school students in the State?***</p>	<p>The State's statutes, policies, and guidance documents specifically state that its grade-level academic achievement standards apply to all public elementary and secondary school students, including students with disabilities for whom modified or alternate academic achievement standards do not apply and students who are not proficient in English.</p> <p>Required Evidence</p> <ul style="list-style-type: none"> • Written documentation in the form of State Board of Education minutes or letters/memoranda from the Chief State School Officer to local superintendents stating the policy that the State's academic achievement standards apply to all students. • Documentation and prefacing text for the standards use the word "all" consistently and inclusively and reflect other inclusive terminology. 	<p>The State's statutes, policy, and guidance documents do not specifically state that its grade-level academic achievement standards apply to all public elementary and secondary school students, including students with disabilities who are not eligible for modified or alternate academic achievement standards and students who are not proficient in English.</p>

**OSEP guidance and NCLB requirements indicate that a student placed in a private school by a public agency for the purpose of receiving special education services must be included in the State assessment and their results attributed to the public school or LEA responsible for the placement.

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.5 How has the State ensured alignment between challenging academic content standards and the academic achievement standards? If the State has adopted modified academic achievement standards, how has the State ensured alignment between its grade-level academic content standards and the modified academic achievement standards? If the State has adopted alternate academic achievement standards, how has the State ensured alignment between its academic content standards and the alternate academic achievement standards?</p>	<p>The State's academic achievement standards fully reflect its academic content standards for each required grade and describe what content-based expectations each achievement level represents. The 'proficient' achievement level represents attainment of grade-level expectations for that academic content area. The descriptors clearly define the skills for the attainment of that level.</p> <p>The State's modified academic achievement standards, if any, are aligned to the State's grade-level academic content standards and are challenging for eligible students but may be less difficult than grade-level achievement standards.</p> <p>The State's alternate academic achievement standards, if any, are aligned with the State's academic content standards (i.e., include knowledge and skills that link to grade-level expectations).</p> <p>Positive</p> <ul style="list-style-type: none"> A description of the process used to develop each component (levels, descriptions, and cut scores) of the academic achievement standards that indicates that these standards were developed specifically to reflect the knowledge and skills in the academic content standard for each grade and content area combination. For alternate achievement standards, the State demonstrates that they reflect knowledge and skills that could lead to the content appropriate for the grade in which a student is enrolled. 	<p>The State's academic achievement standards do not fully reflect its academic content standards for each required grade nor describe what content-based expectations each achievement level represents.</p> <p>The achievement level that represents 'Proficient' defines performance that does not represent grade-level attainment of the content standards.</p> <p>The State has developed modified academic achievement standards, but the alternate assessment on which they are based is not aligned with the academic content standards for the grade tested.</p> <p>The State has developed modified academic achievement standards, but the alternate assessment on which they are based addresses only a small portion of the grade-level content standards represented on the general test.</p> <p>The State has developed alternate academic achievement standards, but they are restricted to functional life skills and are not linked in a meaningful way to academic knowledge/skills specified in the State's content standards.</p>

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

	<ul style="list-style-type: none"> • A comparison of test blueprints indicates that the general assessment and the assessment based on modified academic achievement standards were designed to address the same grade-level content standards although the item specifications differ. • Written documentation designed to accompany or explain the achievement standards that delineates the content-based relationships between the academic achievement standards (including, if appropriate, any modified or alternate achievement standards) and the State's academic content standards. 	
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List State Evidence

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

SECTION 2: ACADEMIC ACHIEVEMENT STANDARDS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>2.6 For each assessment, including alternate assessments, provide documentation of the standard setting process. Describe the selection of panelists, methodology employed, and final results.</p> <p>How did the State document involvement of diverse stakeholders in the development of its academic achievement standards and its modified and/or alternate achievement standards, if any?</p> <p>If the State has adopted alternate or modified academic achievement standards, did the State's standards-setting process include persons knowledgeable about the State's academic content standards and special educators who are knowledgeable about students with disabilities?</p>	<p>The State's process for developing its grade-level academic achievement standards involved knowledgeable participants, such as educators, higher education representatives, parents, and community members, as well as public hearings and consideration of public commentary on the standards, if appropriate.</p> <p>The State's process for developing alternate or modified academic achievement standards, if any, included persons knowledgeable about the State's content standards and standards setting as well as special educators knowledgeable about students with disabilities.</p> <p>• Descriptions of the composition of groups involved in the development of the academic achievement standards indicate that, relative to all stakeholders in the population in general, a broad range of stakeholders was represented in the development process. For development of its alternate and/or modified academic achievement standards, experienced special education teachers and administrators, general classroom teachers and parents of students with disabilities were included.</p> <p>• Modified academic achievement standards were planned and defined by groups that included content specialists, special educators, general education teachers, and parents.</p> <p>• A description of how the standards, including modified and/or alternate achievement standards, if</p>	<p>The State's process for developing its academic achievement standards involved only K-12 educators and staff from the State Department of Education.</p> <p>The make-up of the State's academic achievement standards panels did not include representatives of students with special needs, such as students with disabilities or students with limited English proficiency or otherwise reflect the diversity of the State's population.</p> <p>The State's process for developing its academic achievement standards did not include an opportunity for public review and feedback.</p> <p>The State adopted modified academic achievement standards without input from content specialists or special educators.</p>

**Standards and Assessments Peer Review Guidance
Revised December 21, 2007 to include Modified academic achievement standards**

	<p>any, were developed with input from many people in and outside of education. Such input might come through committees of curriculum, instruction, and content specialists <u>and</u> also from public hearings, public comment, or public review.</p> <ul style="list-style-type: none"> • Evidence of diversity in the composition of groups involved in the development of the standards, including individuals knowledgeable of and concerned about the various categories of special needs students, e.g. students with disabilities and limited English proficient students. 	
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List State Evidence

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

Section 3: A single statewide system of annual high-quality assessments

Reference in NCLB legislation:	Sec. 1111(b)(3)
Reference in final regulations:	Sec. 200.2, 200.3, 200.5, 200.6

Overview

To ensure that States are able to evaluate whether all students are achieving to high levels, NCLB requires States to develop a single statewide system of high quality assessments. All public school students must participate in this assessment system, including those with disabilities and those who are not yet proficient in English, so States must make their assessment system fully accessible to all students (see Section 6 for more information about inclusion). States must employ the same assessment system for all their public elementary and secondary schools and students.

States were to have the reading/language arts and mathematics components of their assessment systems in place by the 2005-06 school year. These assessments must be administered annually to all students in each of grades 3 - 8 and at least once to students in the 10 - 12 grade range. By the 2007-08 school year, States must also have in place their science assessments, which must be administered, annually, at least once in each of the 3 - 5, 6 - 9, and 10 - 12 grade spans. Assessments administered in the 10 - 12 grade span in reading/language arts, mathematics, and science may be end-of-course tests so long as the associated courses, or combinations of courses, are ones that all students must take.

States must also have in place one or more alternate assessments at grades 3 through 8 and high school designed for those students with disabilities who are unable to participate meaningfully in all or part of the State's general assessment, even with appropriate accommodations. These alternate assessments must--

- o Be aligned with the State's grade-level academic content standards;
- o Yield results that measure the achievement of those students separately in reading/language arts and mathematics relative to the modified achievement standards;
- o Meet the requirements of the State's regular assessments, including those relating to validity, reliability, and high technical quality; and
- o Fit coherently in the State's overall assessment system.

Alternate assessments may take several forms: they may be based on grade-level academic achievement standards, modified academic achievement standards, or alternate academic achievement standards. If a State's alternate assessments are based on grade-level academic achievement standards, they must include the same grade-level content as the test for which they are an alternate. The assessment procedures may differ from the general assessment (e.g., body of work or performance tasks instead of multiple choice) but proficiency on these alternates must be comparable to proficient performance on the general assessments for the same grade. The State must provide evidence of comparability and be able to aggregate the results with results from the general assessment. A few States have developed

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

alternate assessments for use with LEP students, and results from those assessments must be judged against the same grade-level standards as the general tests.

If a State has adopted alternate academic achievement standards for students with the most significant cognitive disabilities, the State may create an alternate assessment aligned with those standards. For such alternate assessments, the assessment materials should show a clear link to the content standards for the grade in which the student is enrolled although the grade-level content may be reduced in complexity or modified to reflect pre-requisite academic skills.

The State may also create an alternate assessment based on modified academic achievement standards for a small group of students. Alternate assessments based on modified achievement standards may be developed in one or more subjects or grade levels for which assessments are administered.

The assessments that make up the State's assessment system may either be criterion-referenced or an augmented form of a norm-referenced test. If the State uses only assessments referenced against national norms at a particular grade, those assessments must be augmented with additional items as necessary to measure accurately the depth and breadth of the State's academic content standards and express student results in terms of the State's student academic achievement standards.

A State's assessment system may include only statewide assessments, a combination of statewide and local assessments, or only local assessments.¹ However, if the State includes local assessments in its system, the State is responsible for ensuring that each of these assessments meets the rigorous criteria for technical quality and alignment specified in this document. The State must ensure that results from all local assessments can be aggregated meaningfully at the State level with one another and with scores from any statewide assessments.

In building its assessment system, a State must ensure that the information its assessments yield is coherent across grades and content areas. For example, information gained from the reading/language arts assessment at grade 3 should be clearly and appropriately relevant to information gained from the reading/language arts assessment at grade 4 and subsequent grades. This does not require use of tests that are vertically scaled, but does imply the articulation of the standards from grade to grade. The content of the assessments and the achievement standards should be articulated across grades.

¹ State law exception as stated in Section 200.4 of the July 5, 2002 Regulations and Section 1111(b)(5) of NCLB.

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

OVERVIEW OF THE STATEWIDE ASSESSMENT SYSTEM

Section 3.1. In the chart below indicate your State's current assessment system in reading/language arts and mathematics in grades 3 through 8 and for the 10-12 grade range using the abbreviations to show what type of assessments the State's assessment system is composed of: (a) criterion-referenced assessments (CRT); or (b) augmented norm-referenced assessments (ANRT) (augmented as necessary to measure accurately the depth and breadth of the State's academic content standards and yield criterion-referenced scores); or (c) a combination of both across grade levels and/or content areas. Also indicate your current assessment system in science² that is aligned with the State's challenging academic content and achievement standards at least once in each of the grade spans 3-5, 6-9, and 10-12. A State may have assessments in reading or language arts depending on the alignment to the State's content standards; both are not required. Please indicate, using the abbreviations shown, the grades and subject areas with availability of native language assessment (NLA) or various alternate assessments (AA-GLAS for an alternate assessment for students with disabilities based on grade-level standards; AA-LEP for an alternate assessment for students with limited English proficiency based on grade-level standards, AA-MAS for an alternate assessment for eligible students with disabilities based on modified academic achievement standards; and/or AA-AAS for an alternate assessment for students with the most significant cognitive disabilities based on alternate achievement standards).

Chart of State Assessment System Aligned to Content Standards for school year _____ by Subject, Grade, and Type of Assessment

Grades	3	4	5	6	7	8	9	10	11	12
Math										
Alternate										
Native Lang.										
Reading										
Alternate										
Native Lang.										
Language arts										
Alternate										
Native Lang.										
Science										
Alternate										
Native Lang.										

² Science assessments are not due until the 2007-08 school year.

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.2 If the State's assessment system includes assessments developed or adopted at both the local and State level, how has the State ensured that these local assessments meet the same technical requirements as the statewide assessments?</p> <p>(a) How has the State ensured that all local assessments are aligned with the State's academic content and achievement standards?</p> <p>(b) How has the State ensured that all local assessments are equivalent to one another in terms of content coverage, difficulty, and quality?</p> <p>(c) How has the State ensured that all local assessments yield comparable results for all subgroups?</p> <p>(d) How has the State ensured that all local assessments yield results that can be aggregated with those from other local assessments and with any statewide assessments?</p> <p>(e) How has the State ensured that all local assessments provide unbiased, rational, and consistent determinations of the annual progress of schools and LEAs within the State?</p>	<p>The State has determined that the proficiency-level judgments yielded by each of the local assessments have comparable validity and reliability. are aligned with the State's academic content standards, are equivalent to one another in content, coverage, difficulty and quality, provide unbiased, rational, and consistent determinations of AYP for schools and LEAs, and may be aggregated at the State level to determine whether the State has made adequate yearly progress.</p> <p>REDACTED</p> <ul style="list-style-type: none"> • The State's assessment system includes local assessments, written documentation of the State's criteria for these assessments and the State's processes for ensuring their quality and comparability. • Documentation of studies conducted by the State or by independent evaluators on the quality and comparability of each of the local assessments as well as follow-up plans for the State to address any deficiencies in these local assessments or their comparability, equivalence, and ability to produce results that can be aggregated. 	<p>The State's assessment system includes local assessments but the State does not certify that they meet the requirements specified in this document.</p> <p>Results from one or more local assessments do not yield comparable and equivalent results for one or more subgroups.</p> <p>Results from one or more local assessments cannot be meaningfully aggregated with results from the other local assessments for one or more subgroups.</p> <p>The State has not ensured that locally developed assessments based on modified and/or alternate achievement standards meet all technical and statutory requirements.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.3 If the State's assessment system employs a matrix design—that is, multiple forms within a content area and grade level-- how has the State ensured that:</p> <ul style="list-style-type: none"> (a) All forms are aligned with the State's academic content and achievement standards and yield comparable results? (b) All forms are equivalent to one another in terms of content coverage, difficulty, and quality? (c) All assessments yield comparable results for all subgroups? 	<p>3.3.1 • Documentation such as technical manuals and studies conducted by the State or by independent evaluators on the quality, equivalence, and comparability of the forms.</p>	<p>The State does not document the quality, equivalence and comparability of the forms of the assessments.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.4 How has the State ensured that its assessment system will provide coherent information for students across grades and subjects?</p> <p>(a) Has it indicated the relative contribution of each assessment to ensure alignment to the content standards and determining adequate yearly progress?</p> <p>(b) Has the State provided a rational and coherent design that identifies all assessments, including those based on alternate achievement standards and modified achievement standards if any, to be used for AYP?</p> <p>(c) If the State assessment system includes alternate assessments based on alternate or modified achievement standards, has the State provided IEP Teams with a clear description of the differences between assessments based on grade-level achievement standards, assessments based on modified academic achievement standards and assessments based on alternate achievement standards, if applicable, including any effects of State and local policies on the student's education resulting from taking an alternate assessment based on alternate or modified academic achievement standards?</p>	<p>For each grade and subject assessed, the State's academic assessment system is designed to provide a coherent system across grades and subjects.</p> <p>The State's assessments are aligned with the State's academic achievement standards and reflect articulation of knowledge and skills across grades and subjects.</p> <p>_____</p> <ul style="list-style-type: none"> • Existing written documentation describing the processes used to develop the academic content and achievement standards to align the assessments with these standards. • Documentation of the studies used to establish vertical scales that span grade levels within a given content area. • The State identifies the assessments to be used, indicates the relative contribution of each assessment and provides information regarding the progress of students relative to the State's academic standards in order to inform instruction. • Documentation that indicates how each of the assessments contributes to the alignment to the content standards. • A plan that identifies each of the assessments, their similarities and differences, and their 	<p>The State has not considered or accounted for inconsistencies in the academic achievement standards across grade levels or content areas.</p> <p>The State has not considered or accounted for the appropriate progression of content across grade levels within each content area.</p> <p>The State has not provided a plan that indicates the relative contribution of each of its assessments.</p>

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

	contribution to determining adequate yearly progress.	
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List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.5 If its assessment system includes various instruments (e.g., the general assessment in English and either a native-language version or simplified English version of the assessment), how does the State demonstrate comparable results and alignment with the academic content and achievement standards?</p>	<p>Acceptable Evidence</p> <ul style="list-style-type: none"> ▪ Documentation of alignment of the assessments with the academic content and achievement standards. ▪ Statistical or judgment-based analyses designed to demonstrate comparable evidence of proficiency across different versions of the test. 	<p>For the State's various instruments, the State has not demonstrated that these assessments are comparable and are aligned with the content standards.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.6 How does the State's assessment system involve multiple measures, that is, measures that assess higher-order thinking skills and understanding of challenging content?</p>	<p>The State's assessment system ensures coverage of the depth and breadth of its academic content standards and employs multiple approaches within specific grade and content combinations as needed to meet this goal.</p> <p>_____</p> <ul style="list-style-type: none"> • Test blueprints or item specifications that describe the structure of each assessment and the items on each form. • Description of the process used to determine and judge the inclusion of challenging content. • Statistical evidence that documents coverage of higher-order thinking skills consistent with the standards. 	<p>The State's assessment system covers only basic skill items.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 3: STATEWIDE ASSESSMENT SYSTEM

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>3.7 Has the State included alternate assessment(s) for students whose disabilities do not permit them to participate in the general assessment even with accommodations?</p>	<p>The State's assessment system includes an alternate assessment based on alternate achievement standards and an alternate assessment based on modified academic achievement standards; the system as a whole provides a suitable assessment for all students with disabilities in all grades and subjects.</p> <p>Possible Evidence</p> <ul style="list-style-type: none"> Existing written documentation describing the processes used to develop the alternate assessment(s) and the associated achievement standards. 	<p>The State has not yet implemented an alternate assessment.</p> <p>The State has adopted an existing standardized test as the alternate assessment with no explanation of how it reflects appropriate standards and procedures for students whose disabilities prevent participation in the general test.</p> <p>The State has not implemented alternate assessments that meet the requirements under NCLB.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

Section 4: A system of assessments with high technical quality

Reference in NCLB legislation:	Sec. 1111(b)(3)
Reference in final regulations:	Sec. 200.2

Overview

The *Standards for Educational and Psychological Testing* (1999) delineates the characteristics of high-quality assessments and describes the processes that a State can employ to ensure that its assessments and use of results are appropriate, credible and technically defensible. The *Standards*, developed jointly by the American Psychological Association, the American Educational Research Association, and the National Council of Measurement in Education, has a history of 30 years of use by test developers and the courts.

Validity

As reflected in the *Standards*, the primary consideration in determining validity is whether the State has evidence that the assessment results can be interpreted in a manner consistent with their intended purpose(s).

The *Standards* speaks of four broad categories of evidence used to determine construct validity: (1) evidence based on test content, (2) evidence based on the assessment's relation to other variables, (3) evidence based on student response processes, and (4) evidence from internal structure.

1) Using evidence based on test content (content validity). Content validity, that is, alignment of the standards and the assessment, is important but not sufficient. States must document not only the surface aspects of validity illustrated by a good content match, but also the more substantive aspects of validity that clarify the "real" meaning of a score.

2) Using evidence of the assessment's relationship with other variables. This means documenting the validity of an assessment by confirming its positive relationship with other assessments or evidence that is known or assumed to be valid. For example, if students who do well on the assessment in question also do well on some trusted assessment or rating, such as teachers' judgments, it might be said to be valid. It is also useful to gather evidence about what a test does *not* measure. For example, a test of mathematical reasoning should be more highly correlated with another math test, or perhaps with grades in math, than with a test of scientific reasoning or a reading comprehension test.

3) Using evidence based on student response processes. The best opportunity for detecting and eliminating sources of test invalidity occurs during the test development process. Items obviously need to be reviewed for ambiguity, irrelevant clues, and inaccuracy. More direct evidence bearing on the meaning of the scores can be gathered during the development process by asking students to "think-aloud"

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

and describe the processes they “think” they are using as they struggle with the task. Many States now use this “assessment lab” approach to validating and refining assessment items and tasks.

4) Using evidence based on internal structure. A variety of statistical techniques have been developed to study the structure of a test. These are used to study both the validity and the reliability of an assessment. The well-known technique of item analysis used during test development is actually a measure of how well a given item correlates with the other items on the test. Newer technologies including generalizability analyses are variations on the theme of item similarity and homogeneity. A combination of several of these statistical techniques can help to ensure a balanced assessment, avoiding, on the one hand, the assessment of a narrow range of knowledge and skills but one that shows very high reliability, and on the other hand, the assessment of a very wide range of content and skills, triggering a decrease in the consistency of the results.

In validating an assessment, the State must also consider the consequences of its interpretation and use. Messick (1989) points out that these are different functions, and that the impact of an assessment can be traced either to an interpretation or to how it is used. Furthermore, as in all evaluative endeavors, States must attend not only to the intended effects, but also to unintended effects. The disproportional placement of certain categories of students in special education as a result of accountability considerations rather than appropriate diagnosis is an example of an unintended--and negative--consequence of what had been considered proper use of instruments that were considered valid.

Reliability

The term “reliability” is usually defined with synonyms such as consistency, stability, and accuracy. These terms all relate to the problem of uncertainty in making an inference about a score. As reflected in the *Standards for Educational and Psychological Testing*, the field now treats reliability as a study of the many sources of unwanted variation in assessment results. Those responsible for developing and operating State assessment systems are obliged to (1) make a reasonable effort to determine the types of error that may (unwittingly) distort interpretations of the findings, (2) estimate their magnitude, and (3) make every possible effort to alert the users to this lack of certainty.

The traditional methods of portraying the consistency of test results, including reliability coefficients and standard errors of measurement, should be augmented by techniques that more accurately and visibly portray the actual level of accuracy (Rogosa, 1995, Young and Yoon, 1999). Most of these methods focus on error in terms of the probability that a student with a given score, or pattern of scores, is properly classified at a given performance level, such as “proficient.” For school-level or district-level results, the report should indicate the estimated amount of error associated with the percent of students classified at each achievement level. For example, if a school reported that 47% of its students were proficient, the report might say that the reader could be confident at the 95% level that the school's true percent of students at the proficient level is between 33% and 61%.

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

Furthermore, since the focus on results in a Title I context is on improvement over time, the report should also indicate the accuracy of the year-to-year changes in scores.

Other dimensions of technical quality

There are several other characteristics of State assessments that support valid interpretation and use of results.

Fairness/Accessibility The *Standards* identifies several sources of unfairness, including bias or unequal treatment of students in the assessment process or in the processes of reporting, interpretation, or use; and the lack of opportunity to learn to the standards. Unfairness most often appears at four points in the assessment process:

- The items or tasks do not provide an equal opportunity for all students to fully demonstrate their knowledge and skills.
- The assessments are not administered in ways that ensure fairness.
- The results are not reported in ways that ensure fairness.
- The results are not interpreted or used in ways that leads to equal treatment.

Comparability of results Many uses of State assessment results assume comparability of different types: comparability from year to year, from student to student, and from school to school. Although this is difficult to implement and to document, States have an obligation to show that they have made a reasonable effort to attain comparability, especially where locally selected assessments are part of the system.

Procedures for test administration, scoring, data analysis, and reporting Most States take great pains to ensure that the assessments are properly administered, that directions are followed, and that test security requirements are clearly specified and followed. Nevertheless, it is important they document the ways in which they ensure that their system does not omit any of these basics.

Interpretation and use of results Although this topic is closely related to that of validity, and is discussed in most of the other topics in this section, it is mentioned here because of its importance. Even if an assessment is carefully designed, constructed and implemented, it all can come to naught if users are not helped to draw the most appropriate interpretations and to use the results in the most valid ways.

Validation efforts continue throughout the life of the assessment. Evidence should continually be sought that the results truly reflect the goals of instruction, especially those related to higher-order thinking and understanding. Accurate data about the consequences of an assessment will, obviously, not be available until they have been implemented for a year or more. Research questions might ask: Are more students meeting the standards because the results led to the creation of a dynamic statewide after-school program? Are more students being retained in grade as a result of the assessment results? Are more teachers part of a long-term professional development program that improves the teaching of reading to low-achieving students?

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.1 For each assessment, including <u>all</u> alternate assessments, has the State documented the issue of <u>validity</u> (in addition to the alignment of the assessment with the content standards), as described in the <i>Standards for Educational and Psychological Testing</i> (AERA/APA/NCME, 1999), with respect to <u>all</u> of the following categories:</p> <p>(a) Has the State specified the purposes of the assessments, delineating the types of uses and decisions most appropriate to each? <u>and</u></p> <p>(b) Has the State ascertained that the assessments, including alternate assessments, are measuring the knowledge and skills described in its academic content standards and not knowledge, skills, or other characteristics that are not specified in the academic content standards or grade-level expectations? <u>and</u></p> <p>(c) Has the State ascertained that its assessment items are tapping the intended cognitive processes and that the items and tasks are at the appropriate grade level? <u>and</u></p> <p>(d) Has the State ascertained that the scoring and reporting structures are consistent with the sub-domain structures of its academic content standards (i.e., are item interrelationships consistent with the framework from which the test arises)? <u>and</u></p> <p>(e) Has the State ascertained that test and item scores are related to outside variables as intended (e.g., scores are correlated strongly with relevant measures of academic achievement and are weakly correlated, if at all, with irrelevant characteristics, such as demographics)? <u>and</u></p> <p>(f) Has the State ascertained that the decisions based on the results of its assessments are consistent with the purposes for which the assessments were designed? <u>and</u></p> <p>(g) Has the State ascertained whether the assessment produces intended and unintended consequences?</p>	<p>For each assessment, including all alternate assessments, the State has documented the existing validity evidence in each of the categories and has taken steps to address any deficiencies either in validity or in its approach to establishing and documenting validity evidence.</p> <p>For category (a), existing written documentation, such as minutes or policies of the State Board of Education or state legislative code, that defines the purpose(s) of the State's assessment system.</p> <ul style="list-style-type: none"> • For each of the categories (b) – (g), documentation of the studies that provide evidence in support of the validity of using results from State's assessment system for their stated purpose(s). • Existing written documentation describing the form and content of alternate assessments for students with disabilities, the process by which these assessments were developed, and the process by which the State has ascertained the alignment of these assessments with its academic content standards and academic achievement standards— 	<p>The State has not provided evidence in all categories (a) – (g) or has not taken steps to address any deficiencies either in validity or in its approach to establishing and documenting validity evidence.</p> <p>The alternate assessment based on a single score that is counted for both reading and mathematics in AYP calculations.</p>

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

	both grade-level and alternate, as applicable.	
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List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.2 For each assessment, including all alternate assessments, has the State considered the issue of reliability, as described in the <i>Standards for Educational and Psychological Testing</i> (AERA/APA/NCME, 1999), with respect to <u>all</u> of the following categories:</p> <p>(a) Has the State determined the reliability of the scores it reports, based on data for its own student population and each reported subpopulation? <i>and</i></p> <p>(b) Has the State quantified and reported within the technical documentation for its assessments the conditional standard error of measurement and student classification that are consistent at each cut score specified in its academic achievement standards? <i>and</i></p> <p>(c) Has the State reported evidence of generalizability for all relevant sources, such as variability of groups, internal consistency of item responses, variability among schools, consistency from form to form of the test, and inter-rater consistency in scoring?</p>	<p>For each assessment, including all alternate assessments, the State has documented reliability evidence in each of the categories and has taken steps to address any deficiencies either in reliability or in the State's approach to establishing and documenting reliability evidence.</p> <p>Acceptable Evidence</p> <ul style="list-style-type: none"> • For each of the categories (a) – (c), documentation of the studies that support the reliability of each of the State's assessments with the State's own student population. • Documentation of the precision of the assessments at cut scores and evidence of a systematic process for addressing any deficiencies identified in these studies. • Documentation of consistency of student level classification and evidence of a systematic process for addressing any deficiencies identified in these studies. 	<p>The State has not provided evidence in all categories (a) - (c) or has not taken steps to address any deficiencies either in reliability or in the State's approach to establishing and documenting reliability evidence.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.3 Has the State ensured that its assessment system is fair and accessible to all students, including students with disabilities and students with limited English proficiency, with respect to each of the following issues:</p> <p>(a) Has the State ensured that the assessments provide an appropriate variety of accommodations for students with disabilities? <u>and</u></p> <p>(b) Has the State ensured that the assessments provide an appropriate variety of linguistic accommodations for students with limited English proficiency? <u>and</u></p> <p>(c) Has the State taken steps to ensure fairness in the development of the assessments? <u>and</u></p> <p>(d) Does the use of accommodations and/or alternate assessments yield meaningful scores?</p>	<p>The State has taken appropriate judgmental (e.g., committee review) and data-based (e.g., bias studies) steps to ensure that its assessment system is fair and accessible to all students. Review committees have included representation of identified subgroups.</p> <p>The State assessment system has been designed to be valid and accessible for use by the widest possible range of students.</p> <p>The State is conducting studies to determine the appropriateness of accommodations and the impact on test scores.</p> <p>Existing written documents describe how the principles of universal design and/or appropriate language simplification were incorporated into each of the State's assessments.</p> <p>Evidence that students with disabilities were included in the test development process.</p> <p>Existing written documentation of the State's policies and procedures for the selection and use of accommodations and alternate assessments, including evidence of training for educators who administer these assessments.</p>	<p>The State has conducted data-based bias studies but has not convened committees of stakeholders to review its assessment items.</p> <p>The State has convened committees of stakeholders to review its assessment items but these committees have not included representation of identified subgroups.</p> <p>The State assessment system is not designed to be valid and accessible for use by the widest possible range of students.</p> <p>The State does not have a policy on the appropriate selection and use of accommodations and alternate assessments.</p> <p>The State does not train or monitor personnel at the school, LEA, and State levels with regard to the appropriate selection and use of accommodations and alternate assessments.</p> <p>There are no appropriate accommodations for students with particular disabilities (e.g., no allowable accommodations on the general assessment or alternate assessments for students who are visually impaired and need large print or Braille or for students who are significantly physically impaired and need assistive technology).</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.4 When different test forms or formats are used, the State must ensure that the meaning and interpretation of results are consistent.</p> <p>(a) Has the State taken steps to ensure consistency of test forms over time? (b) If the State administers both an online and paper and pencil test, has the State documented the comparability of the electronic and paper forms of the test?</p>	<p>The State has conducted appropriate equating or linking studies and has presented data that support the success of the equating or linking.</p> <p>Examples of Acceptable Evidence</p> <ul style="list-style-type: none"> • Documentation describing the State's approach to ensuring comparability of assessments and assessment results across groups and time. • Documentation of equating studies that confirm the comparability of the State's assessments and assessment results across groups and across time, as well as follow-up documentation describing how the State has addressed any deficiencies. 	<p>The State has not conducted or documented equating studies to establish whether test forms are comparable across time.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.5 Has the State established clear criteria for the administration, scoring, analysis, and reporting components of its assessment system, including all alternate assessments, and does the State have a system for monitoring and improving the on-going quality of its assessment system?</p>	<p>The State developed a set of management controls or standards for each of these components and has communicated these criteria to its contractor(s), LEAs, and schools. It requires its contractor(s) to provide specific information on the degree to which each criterion is met.</p> <p>The State uses an extensive system of training and monitoring to ensure that each person who is responsible for handling or administering any portion of its assessments does so in a way that protects the security of the assessments and maintains equivalence of administration conditions across students and schools.</p> <ul style="list-style-type: none"> • The State's criteria for administration, scoring, analysis, and reporting are communicated to its contractor(s). • The State's test security policy and consequences for violation are communicated to the public and to local educators. • Existing written documentation of the State's plan for training and monitoring assessment administration conditions across the State, even when its assessment system is comprised of only local assessments. • Documentation that the tests clearly delineate which accommodations may be used for specific sections of the test (e.g., specify the 	<p>The State does not have a test security policy.</p> <p>The State does not train or monitor personnel at the school, LEA, and State levels with regard to its test administration procedures and security policy.</p> <p>The State provides no criteria to its contractor(s) regarding the quality control and security measures it requires for its assessment system.</p> <p>The State provides no criteria to its contractor(s) to ensure that the procedures for scoring of open-ended tasks meet industry standards for accuracy.</p> <p>Assessments are scored locally with no independent confirmation of score accuracy.</p>

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

	items/sections for which a calculator may be used without invalidating the test).	
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List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 4: TECHNICAL QUALITY

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>4.6 Has the State evaluated its use of accommodations?</p> <p>(a) How has the State ensured that appropriate accommodations are available to students with disabilities and students covered by Section 504, and that these accommodations are used in a manner that is consistent with instructional approaches for each student, as determined by a student's IEP or 504 plan?</p> <p>(b) How has the State determined that scores for students with disabilities that are based on accommodated administration conditions will allow for valid inferences about these students' knowledge and skills and can be combined meaningfully with scores from non-accommodated administration conditions?</p> <p>(c) How has the State ensured that appropriate accommodations are available to limited English proficient students and that these accommodations are used as necessary to yield accurate and reliable information about what limited English proficient students know and can do?</p> <p>(d) How has the State determined that scores for limited English proficiency students that are based on accommodated administration circumstances will allow for valid inferences about these students' knowledge and skills and can be combined meaningfully with scores from non-accommodated administration circumstances?</p>	<p>The State provides for the use of appropriate accommodations and has conducted studies to ensure that scores based on accommodated administrations can be meaningfully combined with scores based on non-accommodated administrations.</p> <p style="text-align: center;">██████████</p> <ul style="list-style-type: none"> • The State has analyzed the use of specific accommodations for different groups of students with disabilities and has provided training to support sound decisions by IEP Teams. • The State routinely monitors the extent to which test accommodations are consistent with those provided during instruction. • The State has analyzed the effect of specific accommodations for students with limited English proficiency and has shared results with LEAs and schools. • Documentation of the quality and consistency of the accommodations it offers for limited English proficient students (e.g., training of translators, simplified English, standardized translation of instructions for test administration that are comparable to the general assessment). 	<p>No analyses have been carried out to determine whether specific accommodations produce the effect intended.</p> <p>The State does not require that decisions about how students with disabilities will participate in the assessment system be made on an individual basis or specify that these decisions must be consistent with the routine instructional approaches as identified by each student's IEP or 504 plan.</p> <p>The State uses the same accommodations for limited English proficient students as it uses for students with disabilities.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

Section 5: Alignment of Academic Content Standards, Academic Achievement Standards, and Assessments

Reference in NCLB legislation:	Sec. 1111(b)(1) and 1111(b)(3)
Reference in final regulations:	Sec. 200.2 and 200.3

Overview

A State's system of standards and assessments will provide useful information for valid accountability decisions and educational improvement only to the extent that all components of this system are aligned. If a State's assessments do not adequately measure the knowledge and skills specified in the State's academic content standards, or if they measure something other than what these standards specify, it will be difficult to determine whether students have achieved the intended knowledge and skills. As a result, it will be difficult to make appropriate policy, program, and instructional decisions meant to improve students' achievement. Further, if a State's assessments do not include items that cover the full range of the State's academic achievement standards, it may be difficult to determine whether students have reached the level of proficiency these standards describe.

Alignment encompasses several dimensions; demonstrating that an assessment system is aligned with a State's standards requires more than simply determining whether all the items on the assessment can be matched to one or more standards or whether each of the academic content standards can be matched to one or more items in the assessments. *Alignment is more than this two-way process.* To ensure that its standards and assessments are aligned, a State needs to consider whether the assessments--

- Cover the full range of content specified in the State's academic content standards, meaning that all of the standards are represented legitimately in the assessments; *and*
- Measure both the content (what students know) and the process (what students can do) aspects of the academic content standards; *and*
- Reflect the same degree and pattern of emphasis apparent in the academic content standards (e.g., if the academic content standards place a lot of emphasis on operations then so should the assessments); *and*
- Reflect the full range of cognitive complexity and level of difficulty of the concepts and processes described, and depth represented, in the State's academic content standards, meaning that the assessments are as demanding as the standards; *and*
- Yield results that represent all achievement levels specified in the State's academic achievement standards.

In addition to considering each of these aspects of alignment through a systematic development and review process, the State needs to also develop strategies for communicating to its education stakeholders how its standards and assessment are aligned. Parents, educators, and other stakeholders need to know how assessment results are related to content-based expectations in order to understand and use test information effectively.

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

Each State must present evidence that its assessment system is aligned to its standards. Some alignment evidence is generated in the test development process, and documentation of the steps taken to ensure that items were drafted to reflect the full range of the State standards is appropriate verification of efforts to attain alignment. In addition, final alignment of assessments and standards following full implementation should be confirmed using one of several procedures (for example, review and comment by external subject-matter experts). Occasionally, documentation of alignment includes the process of re-verification if changes in tests were made to improve alignment.

In recent years, several methods of evaluating alignment between standards and assessments have been developed. A summary and comparison of alignment models can be found on the Council of Chief State Officers website at:

http://www.ccsso.org/Projects/alignment_analysis/models/418.cfm

When documenting the comprehensive aspects of alignment between standards and the State assessment system, the State should describe--

- The relationships between the structure of the standards and the structure of the assessments;
- The rationale for the overall alignment strategy, including a rationale for any standards either not assessed or not reported as part of the State assessment;
- The manner in which each standard is assessed, whether at the State, district, school, or classroom level;
- The manner in which alternate assessments based on alternate achievement standards are linked to the State content standards; and
- The type of information the State collects pertaining to each standard, and how the State monitors the quality of the assessment data collected at the local level, for all assessments that are part of the statewide system.

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.1 Has the State outlined a coherent approach to ensuring alignment between each of its assessments, or combination of assessments, based on grade-level achievement standards, and the academic content standards and academic achievement standards the assessment is designed to measure?</p> <p>Has the State outlined a coherent approach to ensuring alignment between each of its assessments, or combination of assessments, based on modified achievement standards and the academic content standards and academic achievement standards the assessment is designed to measure?</p> <p>Has the State outlined a coherent approach to ensuring alignment between each of its assessments, or combination of assessments, based on alternate achievement standards and the academic content standards and academic achievement standards the assessment is designed to measure?</p>	<p>The State has developed an assessment system consistent with its academic content and achievement standards and is implementing ongoing quality control reviews to ensure that the system remains fully aligned over time.</p> <p>Possible Evidence</p> <ul style="list-style-type: none"> • Detailed assessment specifications and a description of the process used to ensure that full alignment is achieved initially and maintained over time through quality control reviews. • Descriptions of the internal and external groups involved in the State's alignment process. • Reports of independent alignment studies (i.e., conducted by an entity other than the State or its assessment contractor) and evidence of a systematic process for addressing any gaps or weaknesses identified in these studies. • "Extended" standards communicate the relationship between the State's academic content standards and the content of the alternate assessment based on alternate academic achievement standards. • If the State has multiple assessments within one grade level in reading/language arts or mathematics, the State has tapped all content sub-domains. The State is implementing a 	<p>The State accepts its contractor's assurance as its sole evidence of alignment.</p> <p>The State has studied whether all of the items on its assessments match its academic content standards but has not conducted studies to ensure that all of its academic content standards are reflected by items on its assessments.</p> <p>The State has conducted alignment studies for some, but not all, of the assessments in its system.</p>

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

	series of studies to ensure that this combination is aligned to the full scope of the domain.	
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List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.2 Are the assessments and the standards aligned comprehensively, meaning that the assessments reflect the full range of the State’s academic content standards? Are the assessments as cognitively challenging as the standards? Are the assessments and standards aligned to measure the depth of the standards? Does the assessment reflect the degree of cognitive complexity and level of difficulty of the concepts and processes described in the standards?</p> <p>If the State has implemented an alternate assessment based on modified academic achievement standards, does the assessment reflect the full range of the State’s academic content standards for the grade(s) tested? What changes in cognitive complexity or difficulty, if any, have been made for assessments based on modified academic achievement standards?</p> <p>If the State has implemented an alternate assessment based on alternate academic achievement standards, does the assessment show a clear link to the content standards for the grade in which the students tested are enrolled although the grade-level content may be reduced in depth, breadth or complexity or modified to reflect pre-requisite academic skills?</p>	<p>The State’s assessment plan, assessment blueprints, and/or item/task specifications describe how all content standards are assessed and how the domain is sampled to lead to valid inferences about student performance on the standards, individually and in the aggregate. The State has evidence that (a) the full scope of the standards and their differential emphases are reflected in the plan/blueprints/specifications and that (b) the assessments match the plan/blueprints/specifications. Impartial experts were involved in this process.</p> <ul style="list-style-type: none"> • Detailed assessment specifications and a description of the process that was used to ensure that the State’s assessment system reflects the full range of content and level of challenge specified in its academic content standards as well as the range of performance indicated in its academic achievement standards. • For an alternate assessment based on modified academic achievement standards, the State provides a comparison with the general assessment to illustrate the similarity of content covered and changes made to the cognitive challenge of the items. • Reports of independent alignment studies and evidence of a systematic process for addressing any gaps or weaknesses identified in these studies. 	<p>The State makes an assertion of comprehensiveness without documentation matching both assessments to standards and standards to assessments.</p> <p>The State’s assessments do not appear to measure the more challenging aspects of its standards.</p> <p>The State’s assessment items measure higher-order thinking, but do not measure all of the standards that call for higher-order thinking.</p> <p>The State has developed modified academic achievement standards in science, but the test on which they are based is not aligned with the State’s academic content standards in science for the grade span tested.</p> <p>The alternate assessment based on modified academic achievement standards is aligned to “extended standards” rather than the grade-level content standards.</p> <p>The alternate assessment based on alternate academic achievement standards is limited to kindergarten content.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.3 Are the assessments and the standards aligned in terms of both content (knowledge) and process (how to do it), as necessary, meaning that the assessments measure what the standards state students should both know and be able to do?</p> <p>What changes in test structure or format, if any, have been made for assessments based on modified academic achievement standards?</p>	<p>The State's assessments reflect both the content and the process dimensions of the academic content standards. These assessments are designed in a way that will allow students to demonstrate content knowledge through activities described in the standards.</p> <p>Examples of Acceptable Evidence</p> <ul style="list-style-type: none"> Detailed assessment specifications and a description of the process used to ensure that its assessment system reflects both the content and the processes and skills specified in its academic content standards. Reports of independent alignment studies and evidence of a systematic process for addressing any gaps or weaknesses identified in these studies. 	<p>Items on the State's assessments address only content dimensions of the State's standards and not the process or skill dimensions in these standards.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.4 Do the general assessments and alternate assessments based on modified achievement standards if any, reflect the same degree and pattern of emphasis as are reflected in the State's academic content standards?</p>	<p>The number of score points in content sub-domains on the State's assessment is consistent with the representation of these sub-domains in the State's academic content standards.</p> <p>Additional Evidence:</p> <ul style="list-style-type: none"> • Detailed assessment specifications and a description of the process used to ensure that its assessment system reflects the degree and patterns of emphasis that are specified in its academic content standards. • Reports of independent alignment studies and evidence of a systematic process for addressing any gaps or weaknesses identified in these studies. 	<p>One or more sub-domains in the State's academic content standards are under- or over-represented by score points on its assessments.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.5 Do the assessments yield scores that reflect the full range of achievement implied by the State's academic achievement standards?</p>	<p>The State's assessments have sufficient items at each level to permit students to demonstrate the full range of the State's academic achievement standards.</p> <p>Examples of Acceptable Evidence</p> <ul style="list-style-type: none"> • Detailed assessment specifications and a description of the process used to ensure that its assessment system reflects the full range of achievement described in its academic achievement standards • Reports of independent alignment studies and evidence of a systematic process for addressing any gaps or weaknesses identified in these studies. 	<p>The items do not reflect the full range of achievement implied by the State's academic achievement standards.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.6 Assessment results must be expressed in terms of the achievement standards, not just scale scores or percentiles.</p>	<p>The State has designed reports and communicated assessment results in terms of its achievement standards.</p> <p>The State's assessments yield scores that are clearly aligned with the State's academic content standards at the domain and/or sub-domain levels.</p> <p>Examples of Acceptable Evidence</p> <ul style="list-style-type: none"> • Examples of existing documents, such as web pages, brochures, guidelines, or media reports, designed to communicate the alignment between the standards and assessments to all members of the school community. • Brochure for parents explains the meaning of modified academic achievement standards in terms of the grade-level skills represented at each achievement level. 	<p>The State provides no information about the alignment of its standards and assessments for educators, parents, or the public. Results are expressed only as percentiles or normal curve equivalents.</p> <p>The State indicates or implies that there really is no easy way for teachers or the public to see whether or how well the assessments are aligned with the standards.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified academic achievement standards**

SECTION 5: ALIGNMENT

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>5.7 What ongoing procedures does the State use to maintain and improve alignment between the assessments and standards over time?</p>	<p>The State has used the information gained through its series of alignment studies to eliminate gaps and weaknesses in alignment and is implementing a plan for continuous quality review to maintain alignment over time.</p> <p>Documentation</p> <ul style="list-style-type: none"> • Documentation of independent alignment studies. • If any independent alignment studies reveal gaps or weaknesses in the alignment of the State's assessments and standards, existing written documentation describing the State's systematic process for addressing these deficiencies. 	<p>The State has not implemented strategies, such as adding items to the assessment, adding multiple measures, adding a writing test, or adopting the longer version of a test, to address the gaps and weaknesses identified in its alignment studies.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards

Section 6: Inclusion of all students in the assessment system

Reference in NCLB legislation: Sec. 1111(b)(1), (3)
Reference in final regulations: Sec. 200.1, 200.2, 200.6

Overview

Just as its title indicates, one of the fundamental principles of NCLB is the inclusion of *all* students in a State's system of standards, assessments, and accountability. By excluding any student or group of students from its assessment system, a State suggests that its high expectations apply only to some, but not all, students.

For some students with disabilities and for students who are not yet proficient in English, participation in the State's assessment system may require special considerations.³ In all cases, however, decisions must be made regarding how an individual student will participate in the assessment system, not whether the student will participate.

To ensure that all students can participate fully in its assessment system, a State must provide the following assessment options:

- The general grade-level assessment (available to limited English proficient students and students with disabilities).
- The general grade-level assessment with approved accommodations that support valid results (available to limited English proficient students and students with disabilities).
- One or more alternate assessments, which may include any of the following:
 - An alternate assessment that is aligned with the State's academic content standards and based on grade-level academic achievement standards (available to limited English proficient students and students with disabilities).
 - An alternate assessment that is aligned with the States grade-level academic content standards and based on modified academic achievement standards (limited to students with disabilities who meet the State-defined eligibility criteria).
 - An alternate assessment that is based on alternate academic achievement standards (limited to students with the most significant cognitive disabilities).

Implementation of these options will require States to identify the needs of its special student populations so that it can appropriately address these needs. For example, for students who are visually- or hearing-impaired, the State needs to make available appropriate accommodations that will allow these students to demonstrate what they know and can do, as well as develop a system for ensuring that these accommodations are selected and used appropriately. For students with limited English proficiency, the State must offer accommodations including, to the extent practicable, native-language assessments designed

³ For LEP students who have been in schools in the U.S. for less than 12 months, regulations permit the State to substitute participation in the State's English proficiency test for participation in the grade-level reading/language arts test for one year only. (72 FR 54188, (Sept. 13, 2006)).

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards

to ensure that these students have an opportunity to demonstrate their academic knowledge and skills based on grade-level standards.

In addition to addressing the needs of students with disabilities and students with limited English proficiency, a State must take steps to ensure the participation of all migrant, otherwise mobile, and homeless students in its assessment system. This includes the accurate identification of migrant students and policies requiring assessment of all students, regardless of how long these students have been enrolled in the State.

It is important to note that, as States continue to improve alignment between standards and assessments, the use of universal design principles holds great promise for designing and aligning standards, curriculum, instructional materials and strategies. Assessments that are designed to be valid and accessible for the widest possible range of students may help all students, particularly students with cognitive disabilities, and would reduce the need for accommodations.

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

SECTION 6: INCLUSION

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>6.1</p> <p>1. Do the State's participation data indicate that all students in the tested grade levels or grade ranges are included in the assessment system (e.g., students with disabilities, students with limited English proficiency, economically disadvantaged students, race/ethnicity, migrant students, homeless students, etc.)?</p> <p>2. Does the State report separately the number and percent of students with disabilities assessed on the regular assessment without accommodations, on the regular assessment with accommodations, on an alternate assessment against grade-level standards, and, if applicable, on an alternate assessment against alternate achievement standards and/or on an alternate assessment against modified academic achievement standards?</p>	<p>The State has documented its total and subgroup enrollments in each of the required grade levels or grade ranges and calculates its participation rates as a proportion of students assessed to students enrolled during the test administration period.</p> <p>Participation</p> <ul style="list-style-type: none"> • Reports that specify the participation rates and the method of calculations for all students and for each subgroup in the assessment system. • Report that shows that 100% of students with disabilities are taking the general assessment or an alternate assessment. • Curriculum guides that inform educators about the inclusion of students with disabilities in general assessments, with or without accommodations, or alternate assessments based on grade-level standards, or, if the State allows it, alternate assessments based on alternate or modified achievement standards. 	<p>The State does not offer participation data for all students.</p> <p>The State provides participation data for assessments that do not meet NCLB requirements.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

SECTION 6: INCLUSION

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>6.2</p> <p>1. What guidelines does the State have in place for including all students with disabilities in the assessment system?</p> <p>(a) Has the State developed, disseminated information on, and promoted use of appropriate accommodations to increase the number of students with disabilities who are tested against academic achievement standards for the grade in which they are enrolled?</p> <p>(b) Has the State ensured that general and special education teachers and other appropriate staff know how to administer assessments, including making use of accommodations, for students with disabilities and students covered under Section 504?</p>	<p>The State provides clear, written guidelines to all LEAs concerning how to appropriately include <u>all</u> students with disabilities in the assessment system. This statement specifies that decisions about how to include students with disabilities (i.e., whether a student takes the general assessment without accommodations, the general assessment with accommodations, an alternate assessment based on grade-level achievement standards, an alternate assessment based on modified achievement standards, or an alternate assessment based on alternate achievement standards) must be made on an individual basis. Further, decisions about how a student will participate must be consistent with the routine instructional approaches as identified by each student's IEP or 504 plan.</p> <p>6.3</p> <ul style="list-style-type: none"> • The State's guidelines, as communicated to LEAs, provide for the inclusion of all students with disabilities in the assessment system, consistent with the requirements listed in this element. • State guidelines that include all required components for implementation of modified or alternate achievement standards have been disseminated to LEAs. 	<p>The State does not provide clear, written guidelines to all LEAs on how to maximize inclusion of students with disabilities in its assessment system.</p> <p>The State allows some students with disabilities to be exempted from participating in the assessment system.</p>
<p>2. If the State has approved/adopted modified or alternate academic achievement standards for certain students with disabilities, what guidelines does the State have in place for placing those students in the appropriate assessment?</p> <p>(a) Has the State developed clear guidelines for IEP Teams to apply in determining which students with disabilities are eligible to be assessed based on modified or alternate academic achievement standards?</p> <p>(b) Has the State informed IEP Teams that students eligible to be assessed based on alternate or modified academic achievement standards may be from any of the disability categories listed in the IDEA?</p> <p>(c) Has the State provided IEP Teams with a clear explanation of the differences between assessments based on grade-level academic</p>		

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

<p>achievement standards and those based on modified or alternate academic achievement standards, including any effects of State and local policies on the student's education resulting from taking an alternate based on alternate or modified standards?</p> <p>(d) Has the State ensured that parents are informed that their child's achievement will be based on modified or alternate academic achievement standards and of any possible consequences resulting from LEA or State policy (e.g., ineligibility for a regular high school diploma)?</p>		
<p>3. If the State has adopted modified academic achievement standards, do the guidelines include all required components?</p> <p>(a) Criteria for IEP Teams to use to determine which students with disabilities are eligible to be assessed based on modified academic achievement standards that include, at a minimum, each of the following?</p> <ul style="list-style-type: none"> • The student's disability has precluded the student from achieving grade-level proficiency as demonstrated by objective evidence of the student's academic performance; and • The student's progress to date in response to appropriate instruction, including special education and related services designed to address the student's individual needs, is such that, even if significant growth occurs, the IEP Team is reasonably certain that the student will not achieve grade-level proficiency within the year covered by the student's IEP; and • The student's IEP goals for subjects 		

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

<p>assessed by the statewide system are based on the academic content standards for the grade in which the student is enrolled.</p> <p>(b) Has the State informed IEP Teams that a student may be assessed based on modified academic achievement standards in one or more subjects?</p> <p>(c) Has the State established and monitored implementation of clear and appropriate guidelines for developing IEPs that include goals based on content standards for the grade in which a student is enrolled?</p> <p>(d) Has the State ensured that students who are assessed based on modified academic achievement standards have access to the curriculum, including instruction, for the grade in which the students are enrolled?</p> <p>(e) Has the State ensured that students who take an alternate assessment based on modified academic achievement standards are not precluded from attempting State diploma requirements?</p> <p>(f) Has the State ensured annual IEP Team review of assessment decisions?</p> <p>4. Has the State documented that students with the most significant cognitive disabilities are, to the extent possible, included in the general curriculum?</p>		
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List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

SECTION 6: INCLUSION

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>6.3 What guidelines does the State have in place for including all students with limited English proficiency in the tested grades in the assessment system?</p> <p>(a) Has the State made available assessments, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what these students know and can do?</p> <p>(b) Does the State require the participation of every limited English proficient student in the assessment system, unless a student has attended schools in the US for less than 12 months, in which case the student may be exempt from one administration of the State's reading/language arts assessment?</p> <p>(c) Has the State adopted policies requiring limited English proficient students to be assessed in reading/language arts in English if they have been enrolled in US schools for three consecutive years or more?</p>	<p>The State provides clear, written guidelines to all LEAs concerning how to include <u>all</u> limited English proficient students in the assessment system. These guidelines specify that decisions about how to include limited English proficient students (i.e., whether a student takes the general assessment without accommodations, or the general assessment with accommodations) must be made on an individual basis.</p> <p>The State provides an alternate assessment in English aligned with grade-level standards for limited English proficient students who have not yet acquired a level of proficiency in English that would allow them to participate in the general assessment, even with accommodations.</p> <p>State Policy:</p> <ul style="list-style-type: none"> • The State's guidelines, as communicated to LEAs, call for the inclusion of all limited English proficient students in the State's assessment system. • Existing written documentation describing the form and content of any alternate assessments for limited English proficient students, the process by which these assessments were developed, and the process by which the State has ascertained the alignment of these assessments with its academic content standards and academic achievement standards and comparability of results with the general test. 	<p>The State does not provide clear, written guidelines to all LEAs on how <u>all</u> limited English proficient students are to be included in its assessment system.</p> <p>The State allows some limited English proficient students who have attended schools in the US for more than 12 months to be exempted from participating in the assessment system.</p> <p>The State allows limited English proficient students who have not been enrolled in its school system for at least one year to be categorically exempted from participation in the assessment system.</p> <p>The State does not require decisions about how limited English proficient students will participate in the assessment system to be made on an individual basis.</p> <p>The State does not offer assessments for limited English proficient students who have not yet acquired a level of proficiency in English that would allow them to participate in the general assessments, even with accommodation.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Achievement Standards**

SECTION 6: INCLUSION

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>6.4 What policies and practices does the State have in place to ensure the identification and inclusion of migrant and other mobile students in the tested grades in the assessment system?</p>	<p>The State provides clear, written guidelines to all LEAs concerning how to identify and include <u>all</u> migrant and other mobile students in its assessment system.</p> <p>Redaction</p> <ul style="list-style-type: none"> The State's guidelines, as communicated to LEAs, for the inclusion of all migrant and other mobile students in its assessment system. 	<p>The State allows some migrant or other mobile students to be exempted from participating in its assessment system.</p> <p>The State does not have a valid and reliable method for identifying migrant students.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards

Section 7: An effective system of assessment reports

Reference in NCLB legislation:	Sec. 1111(b)(3)
Reference in final regulations:	Sec. 200.8

Overview

A State's assessment reports represent the culmination of all other aspects of its standards and assessment system. In these reports, a parent, educator, or other stakeholder should find answers to questions about how well a student or group of students is achieving, as well as important information on how to improve achievement in the future.

NCLB requires States to produce reports at the individual student, school, LEA, and State levels. At each of these levels, reports must include scores that are aligned with the State's academic content standards. Also, total test scores must be reported in relation to the performance levels defined in the State's academic achievement standards

Each of a State's reports should be produced and disseminated as soon as possible after each assessment administration. The individual student reports, at least, also need to be accompanied by interpretive guidance that will help parents and educators understand and be able to use the information the reports provide. States must ensure that this guidance is accessible to all parents.

States must carefully protect the data files containing student-level information that are produced following each assessment administration. When the State allows access to this information, it must do so in a way that maintains the confidentiality of each student's records.

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards

SECTION 7: ASSESSMENT REPORTS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>7.1 Does the State's reporting system facilitate appropriate, credible, and defensible interpretation and use of its assessment data?</p>	<p>The State's reporting system includes supporting information to facilitate accurate interpretation of data for those who will receive and use its reports, such as information about the content and structure of its assessments, and how the assessments are related to its standards. The State uses a variety of ways to publicize this information, such as manuals, bulletins, reports of results, and websites.</p> <p>Possible Evidence</p> <ul style="list-style-type: none"> • Examples of the State's score reports at the individual student, school, LEA, and State levels. • Examples of the interpretive guides that accompany reports. • Descriptions of the State's system for training educators on the appropriate interpretation and use of assessment results. State training materials include: the purpose and content of the assessments, the reliability of the assessment scores, and sufficient information to allow use of the assessment results in making sound educational decisions or for conducting scientifically based research to improve educational outcomes. 	<p>The State's reporting system does not include training for those who will receive and use its reports on the appropriate interpretation and use of its assessment results.</p> <p>The State does not include interpretive guidance within or attached to each of its assessment reports or this guidance is not easy for stakeholders to access, understand and use.</p>

List State Evidence Here

Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards

SECTION 7: ASSESSMENT REPORTS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>7.2 Does the State report participation and assessment results for all students and for each of the required subgroups in its reports at the school, LEA, and State levels? In these assessment reports, how has the State ensured that assessment results are not reported for any group or subgroup when these results would reveal personally identifiable information about an individual student?</p>	<p>The State reports participation and performance results for all students and for each required subgroup at the school, LEA, and State levels. The State has established and justified the minimum number and minimum and maximum proportions of students necessary to allow reporting of scores for any group or subgroup to ensure that personally identifiable information about any individual student is not reported publicly.</p> <p>Acceptable Evidence</p> <ul style="list-style-type: none"> • For all assessments, including those based on alternate and modified academic achievement standards, the State provides examples of assessment score reports that include all required components at the school, LEA, and State levels. • Documentation describing the State's rules for determining whether data are reported for a group or subgroup as well as a description of how these rules are implemented and monitored. • Documentation that electronic student files from the SEA are available to LEAs. 	<p>The State does not disaggregate and report scores for one or more required subgroups even when these subgroups are relatively large.</p> <p>The State reports all scores, regardless of the size of the subgroup.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards**

SECTION 7: ASSESSMENT REPORTS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>7.3 How has the State provided for the production of individual interpretive, descriptive, and diagnostic reports following each administration of its assessments?</p> <p>(a) Do these individual student reports provide valid and reliable information regarding achievement on the assessments in relation to the State's academic content and achievement standards?</p> <p>(b) Do these individual student reports provide information for parents, teachers, and principals to help them understand and address a student's specific academic needs? Is this information displayed in a format and language that is understandable to parents, teachers, and principals and are the reports accompanied by interpretive guidance for these audiences?</p> <p>(c) How has the State ensured that these individual student reports will be delivered to parents, teachers, and principals as soon as possible after the assessment is administered?</p>	<p>For each student who participates in the assessment system, including students assessed on the basis of alternate or modified academic achievement standards, the State disseminates two or more copies of an individual student report to the student's school as soon as possible after each assessment administration. One of these copies is sent to the student's home by the school and at least one copy is kept in the student's files. The scores in this report reflect performance in domains and subdomains defined in the State's academic content standards and indicate which of the achievement levels the student's scores correspond to. The State includes interpretive guidance with each of the individual student reports and supports local efforts to translate this guidance as needed to make it accessible to parents who do not read English. The guidance includes information about the reliability of the scores that are reported.</p> <ul style="list-style-type: none"> • Examples of the State's individual student reports for each grade and content area combination. • Examples of the interpretive guidance that is designed to accompany student reports, including reports based on alternate or modified academic achievement standards, that contain information about how this guidance is made accessible to all parents. • Documentation of the scoring and reporting 	<p>The State does not provide individual student reports for each participating student following each administration of its assessments.</p> <p>Scores on the State's individual student reports are reported only at the total test level or otherwise are not aligned with the domains and subdomains defined in the State's academic content standards.</p> <p>Scores on the State's individual student reports reflect only overall means or percentile ranks or are otherwise not directly associated with the State's academic achievement standards.</p> <p>The State does not include information about the reliability of the scores reported in the individual student reports in the guidance that accompanies these reports.</p> <p>The State does not provide adequate interpretive guidance to accompany its individual score reports or this guidance is overly complex or not accessible to parents who do not read English.</p> <p>The report formats for assessments based on modified or alternate achievement standards do not clearly explain the meaning of the results.</p> <p>The State's individual student reports are not delivered to parents, teachers, or principals as soon as possible following each administration of its assessments.</p> <p>Student results are available only through electronic</p>

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards**

	timeline for each assessment.	media and therefore not readily available to all parents.
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List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards**

SECTION 7: ASSESSMENT REPORTS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>7.4 How has the State ensured that student-level assessment data are maintained securely to protect student confidentiality?</p>	<p>The State has a clear policy and detailed procedures for allowing access to its student-level assessment data. The State stores these data in a manner that is secure both physically and electronically.</p> <p>[REDACTED]</p> <ul style="list-style-type: none"> • Documentation of the State's policies and procedures for allowing access to its student-level data files. 	<p>The State posts student-level data on an unsecured website.</p> <p>The State allows liberal access to its student-level assessment data or retains students' names or other variables that could be used to identify a particular student in the files that it allows to be used for research or evaluation purposes.</p>

List State Evidence Here

**Standards and Assessments Peer Review Guidance
Revised June 25, 2007 to include Modified Academic Achievement Standards**

SECTION 7: ASSESSMENT REPORTS

Critical Element	Examples of Acceptable Evidence	Examples of Incomplete Evidence
<p>7.5 How has the State provided for the production of itemized score analyses so that parents, teachers, and principals can interpret and address the specific academic needs of students?</p>	<p>In its reports at the student, classroom, school, and LEA levels, the State includes results for each of its academic content standards and also each of the subdomains/ strands within these standards, to the extent that these subscores are based on enough items or score points to be meaningful.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Examples of assessment score reports at the individual student, school, LEA, and State levels; examples of classroom-level reports if the State produces them. 	<p>The State provides only total test scores.</p> <p>The State provides subdomain scores on LEA reports but not on school reports.</p>

List State Evidence Here



HB1986
RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM
House Committee on Education

February 6, 2012

2:05 a.m.

Room: 309

The Office of Hawaiian Affairs (OHA) strongly **SUPPORTS** HB1986, which is a bill in OHA's 2012 Legislative Package. This bill would require that assessments for third and fourth grade students in the Department of Education's Hawaiian Language Immersion Program (HLIP) be developed originally in the Hawaiian language, and that the Hawaiian language community be involved in the development of the assessments.

The federal No Child Left Behind Act of 2001 mandates that states implement statewide assessments to measure the ability of the states and their schools to enable students to meet academic achievement standards. This assessment requirement is highly problematic for the Hawaiian Language Immersion Program, which seeks to perpetuate the once-dying native language of the Hawaiian people.

As English is not formally introduced into Hawaiian Language Immersion Program classrooms until the fifth grade, third and fourth grade immersion students take the assessment in the Hawaiian language. In the school years 2004 and 2005, Hawaiian language immersion students took a translated version of the Hawaii State Assessment. Due to a number of translation problems with the test, as well as community concerns, a new assessment, called the Hawaiian Aligned Portfolio Assessment (HAPA), was developed originally in the Hawaiian language and administered to immersion students from the school years 2005-2006 through 2010-2011.

Last school year, the DOE decided to stop using the HAPA and tried once again to administer a Hawaiian translation of the Hawaii State Assessment. After immersion school officials identified a host of translation and technical issues with the translated test, the third and fourth grade immersion students were allowed to take the HAPA in lieu of the translated assessment. Despite lingering concerns about the validity and accuracy of the translated assessment, the DOE is once again administering the translated assessment instead of an assessment developed originally in the Hawaiian language. The concerns surrounding the translated assessment have become even more pressing in light of the fact that the Board of Education recently adopted the Common Core Standards, and new assessments that align with these standards are expected to be implemented in the 2014-2015 school year.

OHA strongly advocates for the use of assessments created originally in the Hawaiian language. There are a number of inherent problems associated with translating assessments, including, but not limited to, changing the overall construct of the examination and creating inequitable challenges for students taking the translated tests. For example, an English reading test translated into Hawaiian does not necessarily measure reading proficiency in either English or Hawaiian and, therefore, does not accurately measure student achievement.

The inability of these translated assessments to accurately measure student achievement not only impacts Hawaiian language immersion students and their schools. It also works to the detriment of the state school system, which could suffer as a result of what might appear to be poor student performance on these highly questionable tests.

To address this assessment issue at the national level, Senator Daniel Akaka recently introduced the Native Culture, Language, and Access for Success in Schools Act (S.1262), which would, among other things, amend the Elementary and Secondary Education Act to require states to develop standards-based assessments to accommodate “diverse learning styles,” which could be used in lieu of the general state assessments.

These assessment problems, if not resolved, could have irreparable impacts on the Department of Education, immersion students, immersion schools, the entire Hawaiian Language Immersion Program and, ultimately, the revitalization of the Hawaiian language.

Therefore, OHA urges the committee to PASS HB1986. Mahalo for the opportunity to testify on this important measure.



Ke Kula 'o Samuel M. Kamakau

Laboratory Public Charter School

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E mālama 'ia ana ka mauli ola o kākou mai kēlā hanauna a i kēia hanauna.

HB1986

RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM COMMITTEE ON EDUCATION

February 6, 2012

2:05pm

Conference Room 309

The Local School Board of Ke Kula 'o Samuel M. Kamakau, K-12 Laboratory Public Charter School **strongly supports** HB1986. This bill requires the assessment of third-fourth grade students in Hawaiian Language programs to be developed in the Hawaiian Language and with the involvement of the Hawaiian language community. In addition we request that such high stakes testing be valid, reliable and fair for all students in Hawai'i.

Last school year (2010-2011) the state reverted to a translated version of the Hawaii State Assessment. In addition to the lost meaning and context as the test was directly translated from one language to another, there were many other challenges around the validity and reliability of the test that placed our Hawaiian speaking students at a great disadvantage. Some of these are described below and are specific examples that speak to the quality of the assessment when the Hawaiian language community is not included in the development process-

- **Awkward formatting or placement of item objects**

In at least one story in the Reading assessment, the majority of words that contained a kahakō or 'okina appeared on screen with a space before and after the letter in question, creating nonsense words. In other cases, invalid characters were used to represent the Hawaiian fonts (e.g. ÿ, ü, ö).

- **Inaccurate directions that are impossible to follow**

In several questions the instructions refer the student to an object "below" but the actual object appears to the right of the question.

- **Spelling/grammar errors have been found in the assessment and the instructions.**

It should be clear that such errors in a high-stakes assessment cannot be tolerated and must be minimized. This is particularly true of Hawaiian, where the presence or absence of an 'okina or kahakō can change the meaning of a word, and a minor change in grammatical structure can change the intended meaning of a sentence.

- **Qualifications of translators/reviewers.**

We have concerns over the qualifications of people used to translate and review the HSA test items. We have seen several advertisements including ads on Craigslist — we're not convinced that Craigslist is the best way to find qualified people for Hawaiian translation or review. The elimination of classroom teachers in the process, greatly limited the pool of qualified translators.

- **English language students can choose the Text To Speech feature**

English language students have the option of having Science and Mathematics items read to them. This feature allows students who are weak readers in English to focus on the construct being assessed. But, since this feature is not available in the Hawaiian version, Hawaiian speakers must work through the written language *before* their Science or Mathematics skills can be assessed.

It was suggested that there are not enough Hawaiian language immersion students to warrant the creation of this feature but this type of bias is unfair.

It should be immediately obvious that these disparities create a disadvantage and bias against Hawaiian language speakers and violates the spirit of “reliable and valid.” These challenges not only affect the individual students, they also affect a school’s NCLB status in meeting adequate yearly progress. We cannot continue to be penalized for a faulty assessment. As we have experienced these issues and continue to see errors in this year’s current assessment, we are asking for the additional amendments to be included in HB1986-

1. Continue to administer the HAPA (Hawaiian Aligned Portfolio Assessment) until a valid and reliable assessment can be developed in the Hawaiian Language by the Hawaiian speaking community
2. Include grades 5-6 in a state assessment developed originally in the Hawaiian language as the fifth grade is the first year of formal English instruction

We, therefore, urge the committee to pass HB1986.

‘Uo Mamo, Local School Board of Ke Kula ‘o Samuel M Kamakau



Ka'Umeke Kā'eo
Hawaiian Immersion Public Charter School
I N K E A U K A H A

Testimony to the House Committee on Education
Monday, February 6, 2012

The Honorable Roy M. Takumi, Chair
The Honorable Della Au Belatti, Vice Chair

Testimony Submitted by: Huihui Kanahale-Mossman Ph.D., Po'okumu

Bill No. and Title: H.B. No. 1986 Relating to the Hawaiian Language Immersion Program.

Position: Ka 'Umeke Kā'eo Hawaiian Immersion Public Charter School is in support of HB 1986 as a part of OHA's 2012 Legislative Package.

Ka 'Umeke Kā'eo located in Keaukaha on the island of Hawai'i has a total enrollment of 293 students in grades K-10. Eighty-four of which are in grades three and four. Organized as a charter school in 2001, Ka 'Umeke was born out of the DOE Hawaiian Language Immersion Program. Ka 'Umeke is currently developing a system of accountability that will measure, amongst other things, student academic growth. Standardized tests are one measurement tool that can be used to track our student's academic successes, and challenges. However the absence of a consistent and appropriate testing system is a hindering our ability to provide our students, teachers, parents, local school board and interested stakeholders with an accurate picture of our educational program.

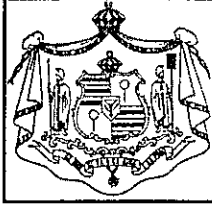
We need assessments that provide both data and information about the educational needs of our students, so that we are able to develop and grow appropriate educational programs. As such, we are in full support of the development and use of assessments that are originally created in the Hawaiian language. Doing our best for our students and encouraging their growth provides our state with a richer more robust educational system.

Supporting HB 1986 will be another step in accomplishing the educational goals of our children, families, communities and state.

Mahalo,

Huihui Kanahale-Mossman Ph.D.
Po'okumu

I Ulu i ke Kuamo'o ♦ I Mana i ka 'Ōiwi ♦ I Kō'eo no ka Hanauna Hou!
Inspired by Our Past ~ Empowered by Our Identity ~ Prepared for Our Future!



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai'i 96807

Testimony of President Soulee Stroud

House Committee on Education

House Bill 1986 Relating to the Hawaiian Language Immersion Program

Monday, February 06, 2012 Room 309

Aloha Chair Takumi, vice chair Belatti, and members of the House Committee on Education. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs, and I am here to testify in support of HB 1986 that would develop assessment tests in olelo Hawaii for math, reading, and science for third and fourth grade department of education's Hawaiian language immersion program students.

The Association I represent is comprised of sixty component clubs in Hawaii and eleven states on the continent. There are twenty six clubs on Oahu alone, and clubs on each of the neighbor islands. Several of our clubs were founded by Hawaiian language graduates of the University of Hawaii and olelo makuahine is at the core of their existence.

The addition of a new chapter to Hawaii Revised Statutes that includes assessments created in the Hawaiian language for third and fourth grade students to test their proficiency on subjects through the use of olelo Hawaii would be beneficial to students in Hawaiian language immersion programs.

Mahalo for the opportunity to testify.

Contact: jalna.keala2@hawaiiantel.net

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 10:05 PM
To: EDNtestimony
Cc: info@schha.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Mike Kahikina, Legislative Chairman
Organization: SCHHA
E-mail: info@schha.com
Submitted on: 2/5/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 10:06 PM
To: EDNtestimony
Cc: info@schha.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kamaki Kanahele, Chairman
Organization: SCHHA
E-mail: info@schha.com
Submitted on: 2/5/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 1:52 PM
To: EDNtestimony
Cc: lalaauiwohi@yahoo.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kainea Aiwahi
Organization: Individual
E-mail: lalaauiwohi@yahoo.com
Submitted on: 2/2/2012

Comments:

I strongly support this bill. I do not feel that having the assessments translated from English into the Hawaiian language accurately translates the true meaning of the question and therefore puts these keiki at a disadvantage. These assessments should be created in the Hawaiian language to accurately measure the capabilities of the students.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 4:28 PM
To: EDNtestimony
Cc: tay.lehano@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM
Attachments: testimony.docx

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Taylissa Lehano
Organization: Individual
E-mail: tay.lehano@gmail.com
Submitted on: 2/2/2012

Comments:

I support that the DOE should be required to create and administer math, reading, and science tests in the Hawaiian language for third and fourth grade students in the Hawaiian Immersion program. Being that Hawaiian Immersion students learn everything, including these three subjects, in the Hawaiian language, it is only fair that the DOE provide them with tests in Hawaiian. Having the tests in the Hawaiian language will greatly benefit the Hawaiian Immersion students and allow them to show their full potential and knowledge on the tests.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 11:25 PM
To: EDNtestimony
Cc: mariebro@hawaii.edu
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Marie Alohalani Brown
Organization: Individual
E-mail: mariebro@hawaii.edu
Submitted on: 2/2/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 03, 2012 1:41 AM
To: EDNtestimony
Cc: Kano333@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kano3 Kimura
Organization: Individual
E-mail: Kano333@gmail.com
Submitted on: 2/3/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 03, 2012 8:42 AM
To: EDNtestimony
Cc: athenagrays88@yahoo.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Wililau (Athena) Gray
Organization: Individual
E-mail: athenagrays88@yahoo.com
Submitted on: 2/3/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 03, 2012 9:50 AM
To: EDNtestimony
Cc: haawinawise@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Haawina Wise
Organization: Individual
E-mail: haawinawise@gmail.com
Submitted on: 2/3/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 03, 2012 12:39 PM
To: EDNtestimony
Cc: kaiwohi@yahoo.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kanoë
Organization: Individual
E-mail: kaiwohi@yahoo.com
Submitted on: 2/3/2012

Comments:

Aloha,

Please support this bill and recognize the value in creating required assessment tests in the Hawaiian language. Children in our Hawaiian Language (Immersion) schools are likely to score higher than having to take it in English.

Thank you,
Kanoë
Wailuku, Maui

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 03, 2012 6:11 PM
To: EDNtestimony
Cc: larry_k@leoki.uhh.hawaii.edu
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Larry Kimura
Organization: Individual
E-mail: larry_k@leoki.uhh.hawaii.edu
Submitted on: 2/3/2012

Comments:

Please Support HB 1986 to provide meaningful and fair instruments of evaluation for the Hawai'i State Hawaiian Immersion Program.

Mahalo nui.
Larry Kimura

February 4, 2012

To: Representative Roy M. Takumi and Committee Members
House Committee on Education
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Subject: Testimony in **Support of House Bill 1986**: Relating to the Hawaiian Language Immersion Program

Aloha Mai Kakou,

My name is Alika McLain. I strongly support HB1986 that would require assessments for third and fourth grade students in the Department of Education's Hawaiian Language Immersion Program (HLIP) be developed originally in the Hawaiian language, and that the Hawaiian language community be involved in the development of the assessments.

I have one child currently enrolled at Ke Kula Kaiapuni O Ānuenue, with a second child that we look forward to enrolling in Papa Mala'o (kindergarten) in 2013. The Hawaiian language is the heart of our culture. We must support the language or risk the loss and dilution of our culture.

Similar to many Hawaiian families, the Hawaiian language has been lost for generations in my family. It is critical for our children attend Hawaiian immersion schools to perpetuate the language and culture for future generations. The HLIP cannot survive and thrive without fair education assessment exams.

HB1986 is in alignment with the Hawai'i State Constitution Article X, Section 4 which states:

"The State shall provide for a Hawaiian education program consisting of language, culture and history in the public schools. The use of community expertise shall be encouraged as a suitable and essential means in furtherance of the Hawaiian education program."

It is incumbent upon the Department of Education to provide assessment exams that are contextual and fair to our children attending HLIP schools.

I strongly urge you to **support HB1986**.

Mahalo,

Alika McLain

E ola mau ka 'ōlelo Hawai'i! E ola mau ka hana a ka Hawai'i imi loa!

(Long live the Hawaiian Language! Our ancestors' great deeds knowledge and discoveries shall live on!)

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 4:23 PM
To: EDNtestimony
Cc: wendygail7@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Wendy McLain
Organization: Individual
E-mail: wendygail7@gmail.com
Submitted on: 2/4/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 7:14 PM
To: EDNtestimony
Cc: Liko1969@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Liko Rogers
Organization: Individual
E-mail: Liko1969@gmail.com
Submitted on: 2/4/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 9:17 PM
To: EDNtestimony
Cc: Jnell313@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Janelle Jeremiah
Organization: Individual
E-mail: Jnell313@gmail.com
Submitted on: 2/4/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 10:06 PM
To: EDNtestimony
Cc: chrishampe@aol.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Christopher Hampe
Organization: Individual
E-mail: chrishampe@aol.com
Submitted on: 2/4/2012

Comments:

Aloha,

I am submitting my written testimony in support of HB 1986.

I believe the Department of Education made a huge mistake when they sent a memo notifying schools that the testing tool for 3rd and 4th grade students would be changed from the federally accepted Hawaii Aligned Portfolio Assessment, also known as HAPA which was written in Hawaiian, to the translated Online Hawaii State Assessment. The HAPA was functional, accurate and provided the best case scenario for accountability testing under the NCLB law for HLIP students.

Those responsible for tossing HAPA out made a bad decision. Now they are following it up with another bad decision and are repeating the same mistakes of the past. In 2003-04, the Department required HLIP 3rd and 4th grade students to take a translated test. That test was rejected by the Technical Advisory Committee because the test was translated. The following excerpt is taken from the Department of Education's Student Assessment Section website that refers to the translated test I just mentioned previously.

"In February of 2005, the members of the Technical Advisory Committee (TAC) for the State of Hawai'i evaluated the translated version of the HSA and concluded the Hawaiian version of the HSA was not satisfactory. The TAC members found it was difficult to compare the results of a norm-referenced assessment translated into Hawaiian for Hawaiian immersion students with an assessment for English program students -- Hawaiian is not English and English is not Hawaiian. The TAC members further recommended that Hawai'i develop a structured portfolio assessment to properly assess students enrolled in HLIP schools. The structured portfolio would also address several major issues that surfaced in the previous administration of the translated HSA: (1) The language used in the assessment would match the language of instruction, (2) a structured portfolio would allow the use of the various dialects of Hawaiian, and (3) the portfolio assessment would not require translating English items into Hawaiian words that may not always precisely match the meaning of the English words."

(<http://sas.sao.k12.hi.us/STATE/SAO/SASWebsite.nsf/5c93c85c1627a0e78a256c2f007f47bc/f95c7bef3b46a1500a257642007c7e2a?OpenDocument>)

The best solution for the Department and the State of Hawaii is to revert back to HAPA, save money, and give the students an opportunity to best tested with the best available option. Why would we scrap something that works and waste all the time, energy and money that was

already spent to develop it. Let's work together Work from here to improve upon HAPA. To do anything else would be a wasteful.

I urge the committee to hear our plea and to require that any decisions for HLIP schools be made in good faith and with transparency and meaningful collaboration.

Mahalo for your time, your consideration of my testimony and your favorable action to pass this bill.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 10:27 PM
To: EDNtestimony
Cc: kauisang@aol.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Dawn Kau'ilani Sang
Organization: Individual
E-mail: kauisang@aol.com
Submitted on: 2/4/2012

Comments:

Aloha kakou,

My name is Kau'i Sang. I am a former kaiapuni classroom teacher. Currently, I work for the Department of Education in the Office of Curriculum, Instruction and Student Support, Hawaiian Education Section, Hawaiian Language Immersion Program. I am also a parent of two children at Ke Kula Kaiapuni 'o Anuenue. Everyday I have an internal struggle with doing what I believe is the right thing for my children and doing my job. Today, I represent my family but at the same time I recognize that by testifying here today, I may be walking on a thin line.

My eldest son is in the 3rd grade and my youngest son is in the 1st grade. My husband and I have opted out of testing for my son who is in the 3rd grade. Last week as I was driving my kids to school my son asked me, "Mom, how come I can't take the HSA?" For the second time this school year his teachers are preparing the students to take the translated On-line Hawaii State Assessment. I explained to him that both his father and I believe the test is flawed. I told him, "It is not fair to force children to take a test that was written for the English language, then change the language on the test and call it valid. No one would ask an English student to take a test written in Hawaiian then translated to English and call it fair. It's not fair."

My son responded to me and said, "But Mom, I think I can pass the test. It doesn't matter if its not fair to us. The only thing that matters is that I can try to help my classmates and my school so people don't think we're not smart." While I am appalled and saddened by his response, I shouldn't have expected anything less from him. This value of kakou, or taking care of everyone is something they learn in school each and everyday. The learning that takes place in the Hawaiian language immersion program is unique. I believe that it aligns with the same values of our home that helps our children to connect with learning each and everyday.

Parenting is a very challenging task and my husband and I take this job seriously. We work together to teach our children the value of a good education. HB 1986 includes language that would require the Department to work together with the HLIP community in the test development process. I believe that by working together with the Department and qualified people in the field of test development, Hawaiian immersion methodology and Hawaiian language, we can successfully produce a more relevant assessment tool for our keiki. Fairness and equity in throughout their educational experience is all we are asking.

Today I come here in support of HB 1986 and I urge the Chairperson, Vice-Chairperson and all of the committee members to pass this bill as written. I am thankful for the collaborative spirit of this bill and am thankful for the opportunity to share my mana'o with you here today.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 8:46 AM
To: EDNtestimony
Cc: crystalkpaul@yahoo.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Crystal Kia Paul
Organization: Individual
E-mail: crystalkpaul@yahoo.com
Submitted on: 2/5/2012

Comments:

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 11:13 AM
To: EDNtestimony
Cc: kimocashman@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Kimo Cashman
Organization: Individual
E-mail: kimocashman@gmail.com
Submitted on: 2/5/2012

Comments:
In strong support.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 7:21 PM
To: EDNtestimony
Cc: pohaiks@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM
Attachments: hb1986kukeashultz.pdf

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Pohai and Kahikina Kukea Shultz
Organization: Individual
E-mail: pohaiks@gmail.com
Submitted on: 2/5/2012

Comments:

To: Representative Roy M. Takumi, Chair, Committee on Education
Representative Della Au Belatti, Vice-Chair, Committee on Education

Fr: Pohai Kukea Shultz, Hawaiian language immersion parent



Date: February 5, 2012

Subject: Testimony in Support of House Bill 1986: Relating to the Hawaiian Language Immersion Program

I would like to testify in support of HB 1986 that requires the DOE to develop reading, math, and science assessment tests in the Hawaiian language for grades 3 and 4 students in the Hawaiian language immersion program.

I have two children enrolled in the program and have been utterly disgusted by the DOE's complete lack of understanding of the inherent problems with translating one language into another and total disregard for my children's well-being. Instead, the department has spent hundreds of thousands of dollars paying a consulting company to do a terrible job of translating the English version of the HSA, never once consulted with the Hawaiian immersion community, and continues to force this flawed test down the throats of our children. It seems to me that they are more concerned with sticking to their own poor decisions, rather than admitting to their mistakes, creating a more inclusive process, and being pono moving forward. I am not asking for my children to be excluded from being assessed, but I do expect the playing field to be level at the start. Nothing about what the department has done thus far has been equitable to our children.

The irony of this situation is that DOE expects my children to adhere to their over-arching goals of standards-based learning, but does not operate that way themselves. My children are evaluated every semester on their achievement of The General Learner Outcomes, or GLOs, which are basically demonstrated by how they behave in the classroom. Two of these GLOs are particularly relevant here, and speak to the hypocrisy of the department. The first is GLO #2: Community Contributor, which is the understanding that it is essential for human beings to work together. In this case, the Hawaiian language immersion community was more than willing to work together with the DOE not only develop a test in the Hawaiian language, but also fix the flawed test that they had created without compensation. However, when our community could not meet the unrealistic, extremely rushed, and unachievable demands of the department, the DOE turned their backs on us and our children and continued to use an assessment that they had already acknowledged was not good. Which leads into GLO #4: Quality Producer, which is the ability to recognize and produce quality performances and quality products. The DOE knew that the process they went through to develop the test was flawed, experts from different fields testified at a BOE hearing about the inherent problems with translation, yet they steamrolled through the process and forced a shoddy product on our children.

We cannot expect our children to embrace the values of equality and justice and grow up to be productive (not to mention bilingual) citizens, if we do not model these values ourselves. This bill will ensure that the next generation of Hawaiian language speakers, with the heavy kuleana of perpetuating our native language, are treated fairly. Mahalo.

To: Representative Roy M. Takumi, Chair, Committee on Education
Representative Della Au Belatti, Vice-Chair, Committee on Education

Fr: Kahikina Kukea-Shultz
Papa 3, Ke Kula Kaiapuni 'o Ānuenuē

Date: 5 Pepeluali 2012

Subject: Kāko'o au i HB 1986 (Support)

Aloha mai kākou,

'O wau 'o Kahikina Kukea-Shultz a hele wau ma Ke Kula Kaiapuni 'o Ānuenuē. Kāko'o wau i kēia pila 'o ia ho'i HB 1986. 'A'ole pono ka hana a ka DOE no ka mea, 'o ko'u kuleana ka 'ōlelo Hawai'i akā, ua pa'i ka hō'ike ma ka 'ōlelo haole a laila 'unuhi ma ka 'ōlelo Hawai'i. 'A'ole like ka mana'o a 'a'ole pono. 'A'ole lākou no'ono'o e pili ana iā mākou a 'o kela ka pilikia nui. Ke noi nei wau iā oukou e ho'oponopono i ka hana hewa a ka DOE. Ho'okō wau i ko'u kuleana ma ke kula – no ke aha 'a'ole ho'okō pū ka DOE i ko lākou kuleana?

Mahalo. Kahikina Kukea-Shultz

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 8:50 PM
To: EDNtestimony
Cc: puniawa@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM
Attachments: Testimony in support of HB1986_new.doc

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Christopher Babā Yim
Organization: Individual
E-mail: puniawa@gmail.com
Submitted on: 2/5/2012

Comments:

To: Representative Roy M. Tokumi, Chair, Committee on Education
Representative Della Au Belatti, Vice-Chair, Committee on Education

Fr: Baba Yim, Mākua, Ka Papahana Kaiapuni

Date: February 6, 2012

Subject: Testimony in Support of HB1986
Relating to the Hawaiian Language Immersion Program

Aloha Kākou. My name is Christopher Yim. I have been working in Hawaiian Immersion education for almost 15 years. I have taught both elementary and middle school for Ka Papahana Kaiapuni, the Hawaiian Language Immersion Program, and am currently a faculty member of the University of Hawaii at Mānoa preparing teachers to teach in Hawaiian Immersion classrooms through graduate level courses that are taught through the Hawaiian language.

But my most important teaching position is as a father of two students of Ke Kula Kaiapuni 'O Ānuenuenu, Hawaiian Language Immersion School. One is a senior in high school preparing to graduate, and the other a third grader. My wife is also a teacher at Ānuenuenu who has been teaching for over 15 years. We are a family committed to the Hawaiian Language and Ka Papahana Kaiapuni.

I submit this testimony in support of HB1986 as it is a step in the right direction towards educational equity for families who choose the right to educate their children in the native language of these islands.

One of the biggest challenges facing Ka Papahana Kaiapuni (Hawaiian Language Immersion Program) is that the assessments do not match the language of instruction (instruction-Hawaiian, assessments-English). Since funding and other supports are directly tied to the results of these assessments it causes problematic shifts in curriculum and instruction away from the original vision, mission and programmatic goals of Ka Papahana Kaiapuni.

As a band-aid type of remedy to this situation, the Hawai'i State DOE tried on its own to translate the English assessments and pass them off as valid. Expert testimony at Board of Education meetings at that time established that the use of any assessment that has been translated from the language that it was originally created in invalidates its results. Also at this time, while questions of validity lingered in the air, we asked the DOE about how the test would be piloted, and received two different, and problematic answers:

1) There was no need to do pilot testing since it had already been done for the English version of the test and,

2) The version the students would be given after the DOE's translations were "fixed" would serve as a pilot and scores received from that very same test would count towards the Adequate Yearly Progress score of their schools.

HB1986 calls for assessments for HLIP 3rd and 4th graders to be created in Hawaiian, the language of instruction. This is something that Ka Papahana Kaiapuni families have been trying to get the DOE to do for years, with no success. It is also important that members of various role groups who may have necessary language and cultural expertise be allowed to participate in the creation of these assessments where they have not in the past.

In closing, I would like to thank you for your time and reiterate my support for HB1986. Hopefully this will be the beginning of a movement to more equitable and genuine assessments for all grades (not just 3 and 4) within Ka Papahana Kaiapuni which truly seeks to inform classroom instruction, thereby increasing student success and not just carelessly chasing federal dollars as the DOE aimlessly races to the top continually keeping Hawaii's native children left behind.

C. Babā Yim,
Makua (Parent), Ka Papahana Kaiapuni

To: Representative Roy M. Takumi, Chair, Committee on Education
Representative Della Au Belatti, Vice-Chair, Committee on Education

Fr:

Date: February 5, 2012

Subject: Testimony in Support of House Bill 1986: Relating to the Hawaiian Language Immersion Program

Aloha Mr Chair Takumi, vice chair Belatti and members of the House Committee on Education. I am Jonathan Kanekoa Kukea-Shultz a parent of two children attending Ke Kula Kaiapuni O Anuenue. I am here to testify in support of HB 1986 that would develop assessment tests in olelo Hawaii for math, reading and science for third and fourth grade public school students. Hawaiian language is unique to only Hawaii, we ask you to please support one of Hawaii official Languages. We welcome your support and passage of this Bill.

When looking at the flawed process of the current Hawaiian Language assessment test, reason would hold that these mistakes be dealt with before this flawed test is given to my children. Please fix these mistakes for our children. A flawed test would only demoralize our students and show an incorrect and unrepresented gap in Hawaiian language student achievement. This gap is a false reflection of their abilities but a more a reflection of the poor quality of the test. We are asking you please kokua correct these mistakes in this flawed test and support the development of a more reflective and correct assessment test in olelo Hawaii. I appreciate your time and kokua in HB 1986.

Aloha,
Kanekoa Kukea Shultz

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 10:03 PM
To: EDNtestimony
Cc: info@schha.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: annie au hoon
Organization: Individual
E-mail: info@schha.com
Submitted on: 2/5/2012

Comments:

HB1986_KAI

Representative Faye P. Hanohano and Committee Members
Committee on Hawaiian Affairs
State Capitol
415 South Beretania Street
Honolulu, HI 96813

5 February 2012

Aloha mai kakou!

I am writing in support of HB 1986 as a member of the Hawaiian language community and as a staff member at a Hawaiian immersion charter school.

I have personally witnessed the wide variety of errors and missteps associated with various aspects of the translated HSA that make this test unreliable and unfair. There are important steps that could have helped mitigate many of the current problems but these steps were neglected for a variety of reasons. Now we find ourselves here, nearly three years since the first discussions of a Hawaiian version of the HSA, with millions of tax payer dollars poorly spent and a test that is still largely inefficient.

I believe that HB1986 is a step in the right direction and encourage the committee members and other legislators to pass HB1986.

Kaonohi Kai

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 06, 2012 7:13 AM
To: EDNtestimony
Cc: dkapua@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Kapua Keliikoa-Kamai
Organization: Individual
E-mail: dkapua@gmail.com
Submitted on: 2/6/2012

Comments:
Aloha kakou,

My name is Kapua Keliikoa-Kamai and I stand in STRONG SUPPORT OF HB1986 Relating To The Hawaiian Language Immersion Program.

I support the intent of this bill and would like to ask that the HSA be developed in the Hawaiian language from grades 3-6. As our immersion haumana are not formally taught standard English until the fifth grade, in a limited manner, as specified in the Ka Papahana Kaiapuni.

Mahalo for your support and passage of this legislation.

Kapua Keliikoa-Kamai

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 06, 2012 7:48 AM
To: EDNtestimony
Cc: pililua@yahoo.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Pililuaikaiohilo Keala-Quinabo
Organization: Individual
E-mail: pililua@yahoo.com
Submitted on: 2/6/2012

Comments:

As a Hawaiian Immersion teacher I have witnessed first hand the detriment of the english testing on the students self esteem and self evaluation. Academically evaluating students in any language other than that which is being used academically, olelo Hawaii, simply makes no sense. I strongly support HB Bill 1986 and hope it leads to olelo Hawaii assesments for more grade levels than grades 4, 5, and 6 in the future.

belatti2 - Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 06, 2012 7:54 AM
To: EDNtestimony
Cc: quinabo@gmail.com
Subject: Testimony for HB1986 on 2/6/2012 2:05:00 PM

Testimony for EDN 2/6/2012 2:05:00 PM HB1986

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kona T Keala-Quinabo
Organization: Individual
E-mail: quinabo@gmail.com
Submitted on: 2/6/2012

Comments:

I strongly support HB Bill 1986. I am a Hawaiian Immersion teacher at Ke Kula Kaiapuni o Anuenue, and I feel the students should be assessed in the language of instruction.