



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 7, 2020

The Honorable Kevin Brown
Interim Commissioner of Education
Kentucky Department of Education
300 Sower Blvd, 5th Floor
Frankfort, KY 40601

Dear Commissioner Brown:

Thank you for your participation in the U.S. Department of Education's (the Department) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA). I appreciate the efforts of the Kentucky Department of Education (KDE) to prepare for the peer review, which occurred in August 2019.

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

External peer reviewers and Department staff carefully evaluated KDE's submission and the Department found, based on the evidence received, that the components of your assessment system meet some, but not all, of the statutory and regulatory requirements of sections 1111(b)(1) and (2) of the ESEA. Based on the recommendations from this peer review and our own analysis of the State's submission, I have determined the following:

- Reading and language arts (R/LA) and mathematics general assessments in grades 3-8 (K-PREP): **Substantially meets requirements of the ESEA.**
- R/LA and mathematics alternate assessments of alternate academic achievement standards (AA-AAAS) for students with the most significant cognitive disabilities in grades 3-8 (Alternate K-PREP R/LA and math): **Substantially meets requirements of the ESEA.**
- Science general assessment in grades 4 and 7 (KAS Science): **Partially meets requirements of the ESEA.**
- AA-AAAS for science in grades 4 and 7 (KAS Alternate Science): **Partially meets requirements of the ESEA.**

The components that partially meet requirements do not meet a number of the requirements of the statute and regulations and/or KDE will need to provide substantial additional information to demonstrate it meets the

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

requirements. The Department expects that KDE may not be able to submit all of the required information within one year. Because KDE must submit substantial additional information, the Department will continue the condition on the State's 2020 Title I, Part A grant award. This condition will remain until the assessments in this review have been determined to meet all requirements. If the outcome of the re-review by peers indicates full approval, then the condition will be removed. If adequate progress is not made, the Department may take additional action. KDE must submit a plan within 30 days outlining when it will submit all required additional documentation for peer review. Upon submission of the plan, the Department will reach out to the KDE to determine a mutually agreeable schedule. Resubmission should occur once all necessary evidence is complete (rather than in multiple submissions). The Department notes that the State has shared plans to implement new assessments to replace the K-Prep and alternate K-Prep R/LA and mathematics assessments in 2020-21. The Department expects that KDE will submit evidence supporting these new assessments for peer review by no later than December 31, 2021.

Additionally, the Office of Special Education and Rehabilitative Services (OSERS) will monitor progress on matters pertaining to requirements in the Individuals with Disabilities Education Act (IDEA) related to the participation of students with disabilities in Title I assessments. In particular, OSERS will monitor progress against critical elements 5.1, 5.3, 5.4, 6.1 and 6.3. Insufficient progress to address such matters may lead OSERS to place a condition on KDE's federal fiscal year 2019 IDEA Part B grant award.

The specific list of items required for KDE to submit is enclosed with this letter. Within 30 days of receipt of this letter, KDE must provide to the Department a plan and timeline by which it will submit the additional documentation. Upon submission of the plan, the Department will reach out to the KDE to determine a mutually agreeable schedule. Resubmission should occur once all necessary evidence is complete (rather than in multiple submissions). If adequate progress is not made in providing this information, the Department may take additional action.

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

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

If you have any questions, please contact my staff at: OESE.Assessment@ed.gov.

Sincerely,

A handwritten signature in black ink that reads "Frank T. Brogan". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Frank T. Brogan
Assistant Secretary for
Elementary and Secondary Education

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Enclosures

cc: Jennifer Stafford, Director, Division of Assessment and Accountability Support

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

Critical Element	Evidence Needed
2.1 – Test Design and Development	<p>For the Kentucky Performance Rating for Educational Progress (K-PREP) reading/language arts (R/LA) and mathematics:</p> <ul style="list-style-type: none"> • Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of the State’s grade-level academic content standards and support the intended interpretations and uses of the results. • Processes to ensure that each academic assessment is tailored to the knowledge and skills included in the State’s academic content standards, reflects appropriate inclusion of challenging content, and requires complex demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills). <p>For the Kentucky Academic Standards (KAS) Science:</p> <ul style="list-style-type: none"> • The State’s test design and test development process is well-suited for the content, is technically sound, aligns the assessments to the depth and breadth of the State’s academic content standards for the grade that is being assessed and includes: <ul style="list-style-type: none"> ○ Statement(s) of the purposes of the assessments and the intended interpretations and uses of results. ○ Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the depth and breadth of the State’s grade-level academic content standards and support the intended interpretations and uses of the results. ○ Processes to ensure that each academic assessment is tailored to the knowledge and skills included in the State’s academic content standards, reflects appropriate inclusion of challenging content, and requires complex demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills). <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • A rationale for each dimension (“Attainment Tasks” and “Transition Attainment Record”) in the Alternate K-PREP design, and to support how each dimension serves to meet the criteria for this critical element, evidence specifically that includes: <ul style="list-style-type: none"> ○ Statement(s) of the purposes of the assessments and the intended interpretations and uses of results. ○ Test blueprints that describe the structure of each assessment in sufficient detail to support the development of assessments that are technically sound, measure the full range of the State’s grade-level academic content standards, and support the intended interpretations and uses of the results. ○ Processes to ensure that each assessment is tailored to the knowledge and skills included in the State’s academic content standards, reflects appropriate inclusion of challenging content, and requires complex demonstrations or applications of knowledge and skills (i.e., higher-order thinking skills).

Critical Element	Evidence Needed
<p>2.2 – Item Development</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence of the areas of expertise of item reviewers used in the item development process for KDE general assessments, specifically subject area expertise, and backgrounds in educating students with disabilities and English learners (ELs), as applicable. <p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State uses reasonable and technically sound procedures to develop and select items to assess student achievement based on the State’s academic content standards in terms of content and cognitive process, including higher-order thinking skills. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State uses reasonable and technically sound procedures to develop and select items to assess student achievement based on the State’s academic content standards in terms of content and cognitive process, including higher-order thinking skills.
<p>2.4 – Monitoring Test Administration</p>	<p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools (e.g., evidence of a process for selecting and conducting monitoring visits, evidence that monitoring occurred). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools (e.g., evidence of a process for selecting and conducting monitoring visits, evidence that monitoring occurred).

Critical Element	Evidence Needed
<p>3.1 – Overall Validity, including Validity Based on Content</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence that the State’s academic assessments measure the knowledge and skills specified in the State’s academic content standards, including: <ul style="list-style-type: none"> ○ Documentation of adequate alignment between the State’s assessments and the academic content standards the assessments are designed to measure in terms of content (i.e., knowledge and process), balance of content, and cognitive complexity. ○ Documentation that the assessments address the depth and breadth of the content standards. <p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State’s academic assessments measure the knowledge and skills specified in the State’s academic content standards (e.g., evidence of a systemic process and timeline to address gaps and weaknesses identified in the alignment study). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State’s academic assessments measure the knowledge and skills specified in the State’s academic content standards, including: <ul style="list-style-type: none"> ○ Documentation of adequate alignment to the State’s academic content standards for the grade in which the student is enrolled in terms of content match (i.e., no unrelated content) and the breadth of content and cognitive complexity determined in test design to be appropriate for students with the most significant cognitive disabilities.
<p>3.2 – Validity Based on Cognitive Processes</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence that its assessments tap the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards (e.g., cognitive labs, surveys or focus groups of students following test completion regarding thought processes during the test). <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence that its assessments tap the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards (e.g., cognitive labs, surveys or focus groups of students following test completion regarding thought processes during the test). <p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that its assessments tap the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards (e.g., cognitive labs, surveys or focus groups of students following test completion regarding thought processes during the test). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that its assessments tap the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards (e.g., cognitive labs, surveys or focus groups of students following test completion regarding thought processes during the test).

Critical Element	Evidence Needed
3.3 – Validity Based on Internal Structure	<p>For the KAS Science:</p> <ul style="list-style-type: none"> Evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures (e.g., correlations of total test and subdomain scores, as well as intercorrelations among subdomain scores; and reports analyzing dimensionality and showing consistency with the structure of the standards). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> See critical elements 3.1 and 3.2.
3.4 – Validity Based on Relationships with Other Variables	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Adequate validity evidence that the State’s assessment scores are related as expected with other variables. <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Adequate validity evidence that the State’s assessment scores are related as expected with other variables (e.g., positive correlations with external measures and convergent and divergent relationships with measures other than test scores) <p>For the KAS Science:</p> <ul style="list-style-type: none"> Adequate validity evidence that the State’s assessment scores are related as expected with other variables. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> Adequate validity evidence that the State’s assessment scores are related as expected with other variables (e.g., positive correlations with external measures and convergent and divergent relationships with measures other than test scores).
4.1 – Reliability	<p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Evidence of estimates for overall test reliability, standard errors of measurement, and classification accuracy, and similar estimates for student subgroups (e.g., gender, race/ethnicity, student disability status, EL status) if subgroup data are reportable for this test. <p>For the KAS Science:</p> <ul style="list-style-type: none"> Evidence of adequate test reliability of the State’s assessments estimated for its student population (e.g., explanation of low estimated reliabilities for total population and subgroups). Overall and conditional standard error of measurement of the State’s assessments, including any domain or component sub-tests, as applicable. Consistency and accuracy of estimates in categorical classification decisions for the cut scores, achievement levels or proficiency levels based on the assessment results. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> Evidence of adequate test reliability of the State’s assessments estimated for its student population (e.g., explanation of low estimates of reliability for total population, reliability evidence for subgroups).

Critical Element	Evidence Needed
<p>4.2 – Fairness and accessibility</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Evidence that the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis (e.g., plan to address differential item functioning (DIF) analyses of major subgroups). <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Evidence that the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis, including, to the extent practicable, using the principles of universal design for learning (UDL) (e.g., evidence regarding the professional background of test item reviewers for bias and sensitivity reviews, DIF analyses of major subgroups). <p>For the KAS Science:</p> <ul style="list-style-type: none"> Evidence that the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis, including, to the extent practicable, using the principles of UDL (e.g., plan to address DIF analyses of major subgroups). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> Evidence that the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all students and fair across student groups in their design, development and analysis, including, to the extent practicable, using the principles of UDL.
<p>4.3 – Full Performance Continuum</p>	<p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> Evidence of the conditional standard error of measure (CSEM) for each score on each test, or similar estimates, for each student subgroup that indicate that the tests provide adequately precise measurements across the full performance continuum. <p>For the KAS Science:</p> <ul style="list-style-type: none"> Evidence of the CSEM for each score on each test, or similar estimates, for each student subgroup that indicate that the tests provide adequately precise measurements across the full performance continuum. Evidence related to sub-domain scores requested in critical element 4.1. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> Evidence of the CSEM for each score on each test, or similar estimates that indicate that the tests provide adequately precise measurements across the full performance continuum (e.g., cumulative frequency distribution and appropriate performance information for students at the lowest end of the performance continuum).

Critical Element	Evidence Needed
<p>4.4 – Scoring</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence of improved inter-rater reliability for K-PREP writing test items. <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence of the inter-rater agreement for the Transaction Attainment Record dimension of the test. <p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence of standardized scoring procedures and protocols that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s academic achievement standards (e.g., evidence of interrater reliability analyses, procedures for combining scores to create composite scores). <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence of standardized scoring procedures and protocols that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State’s academic achievement standards (e.g., detail regarding participants, evidence of training, and inter-rater reliability).
<p>4.5 – Multiple Assessment Forms</p>	<p>For the K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence of the procedures used for linking and equating forms across years of test administration (e.g., how linking items were selected, how linking/equating data is used, how linking items represent test blueprints), and evidence of results of those procedures. <p>For the Alternate K-PREP R/LA and mathematics:</p> <ul style="list-style-type: none"> • Evidence of the procedures used for linking and equating forms across years of test administration (e.g., how linking items were selected, how linking/equating data is used, how linking items represent test blueprints), and evidence of results of those procedures. <p>For the KAS Science:</p> <ul style="list-style-type: none"> • If the State administers multiple forms of academic assessments within a content area and grade level, within or across school years, the State ensures that all forms adequately represent the State’s academic content standards and yield consistent score interpretations such that the forms are comparable within and across school years. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence of the procedures used for linking and equating forms across years of test administration (e.g., how linking items were selected, how linking/equating data is used, how linking items represent test blueprints), and evidence of results of those procedures.
<p>4.6 – Multiple Versions of an Assessment</p>	<p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State: <ul style="list-style-type: none"> ○ Followed a design and development process to support comparable interpretations of results for students tested across the versions of the assessments. ○ Documented adequate evidence of comparability of the meaning and interpretations of the assessment results.

Critical Element	Evidence Needed
4.7 – Technical Analysis and Ongoing	<p>For the KAS Science:</p> <ul style="list-style-type: none"> • Description of a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of all of the assessments in its assessment system, and • Evidence of adequate technical quality is made public, including on the State’s website. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Description of a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of all of the assessments in its assessment system. • Evidence of adequate technical quality is made public, including on the State’s website.
5.1 – Procedures for Including Students with Disabilities	<p>For all assessments:</p> <ul style="list-style-type: none"> • Evidence of clear guidance for IEP teams and parents regarding the selection of appropriate accommodations for students with disabilities. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State: <ul style="list-style-type: none"> ○ Ensures that parents of students assessed with an alternate assessments of alternate academic achievement standards (AA-AAAS) are informed that their child’s achievement will be measured based on alternate academic achievement standards. ○ Does not preclude a student with the most significant cognitive disabilities who takes an AA-AAAS from attempting to complete the requirements for a regular high school diploma.
5.2 – Procedures for Including English Learners	<p>For all assessments:</p> <ul style="list-style-type: none"> • Evidence of clear guidance for educators of ELs regarding selection of appropriate accommodations for ELs.
5.3 – Accommodations	<p>For all assessments:</p> <ul style="list-style-type: none"> • Evidence that the State has determined that the accommodations it provides: <ul style="list-style-type: none"> ○ Are appropriate and effective for meeting the individual student's need(s) to participate in the assessments. ○ do not alter the construct being assessed. ○ Allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations and students who do not need and do not receive accommodations. • Evidence that the State has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed.

Critical Element	Evidence Needed
5.4 – Monitoring Test Administration for Special Populations	<p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State monitors test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are consistent with the assessment accommodations identified by a student’s IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL.
6.1 – State Adoption of Academic Achievement Standards for All Students	<p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence of formal adoption of the academic achievement standards in science. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence of formal adoption of the alternate academic achievement standards in science.
6.2 – Achievement Standards-Setting	<p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State used a technically sound method and process that involved panelists with appropriate experience and expertise.

Critical Element	Evidence Needed
<p>6.3 – Challenging and Aligned Academic Achievement Standards</p>	<p>For the K-PREP Alternate Assessment:</p> <ul style="list-style-type: none"> • Evidence that the alternate academic achievement standards are: <ul style="list-style-type: none"> ○ Aligned with the State’s challenging academic content standards for the grade in which a student is enrolled. ○ Ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or employment. The State educational agency should provide this evidence by December 15, 2020. <p>For the KAS Science:</p> <ul style="list-style-type: none"> • Evidence that the State’s academic achievement standards are challenging and aligned with the State’s academic content standards and with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards such that a student who scores at the proficient or above level has mastered what students are expected to know and be able to do by the time they graduate from high school in order to succeed in college and the workforce. <p>For the KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the alternate academic achievement standards are: <ul style="list-style-type: none"> ○ Aligned with the State’s challenging academic content standards for the grade in which a student is enrolled. ○ Ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or employment. The State educational agency should provide this evidence by December 15, 2020.
<p>6.4 – Reporting</p>	<p>For K-PREP Alternate:</p> <ul style="list-style-type: none"> • Evidence that alternate formats of test score reports are available. • Evidence of test score interpretive guides for educators and parents. <p>For the KAS Science and KAS Alternate Science:</p> <ul style="list-style-type: none"> • Evidence that the State reports assessment results, including itemized score analyses, to districts and schools so that parents, teachers, principals, and administrators can interpret the results and address the specific academic needs of students. • Interpretive guides to support appropriate uses of the assessment results. • Reports that are, to the extent practicable, written in a language that parents and guardians can understand or, if it is not practicable to provide written translations to a parent or guardian with limited English proficiency, are orally translated for such parent or guardian. • Evidence that the reports, upon request by a parent who is an individual with a disability as defined by the ADA, as amended, are provided in an alternative format accessible to that parent. • That the State follows a process and timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration.