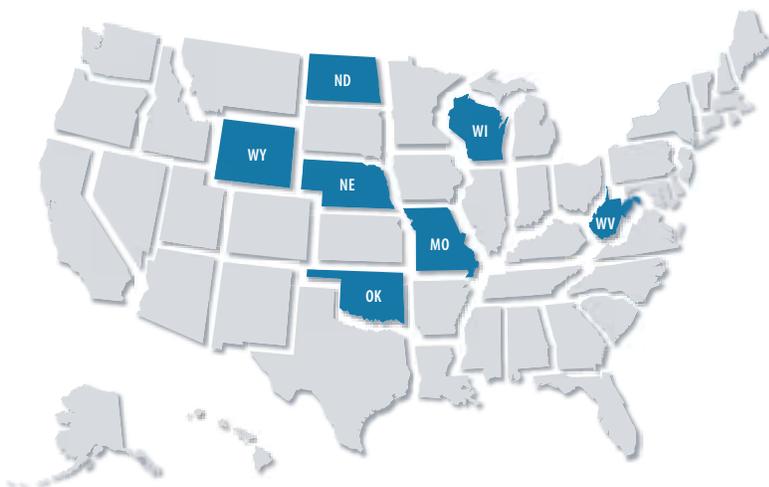


State Use of ACT—Peer Review Results

Purpose:

In order to comply with the regulations put forth by the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), states are required to submit evidence associated with their statewide accountability systems to the United States Department of Education (ED) for peer review. All states are required to complete the peer review process for K–12 statewide assessments in English language arts (ELA), mathematics, science, and English language proficiency. Based on the peer review of state submissions, ED has issued [decision letters](#) to inform states whether their submissions have addressed all requirements.

Some states have elected to incorporate the ACT assessment into statewide assessment systems, to be used for accountability purposes. As of August 2019, seven states identified ACT as a component of their state assessment system in their peer review submissions: [Montana](#), [Nebraska](#), [North Dakota](#), [Oklahoma](#), [West Virginia](#), [Wisconsin](#), and [Wyoming](#). All seven of these states have received feedback from ED regarding use of the ACT as a statewide assessment, or as an assessment option for districts, and whether each state’s peer review submission meets all statutory requirements. The Center on Standards and Assessment Implementation (CSAI) reviewed the feedback provided to these seven states to understand how utilization of this assessment for accountability purposes meets ED requirements. The information included in this brief outlines ED’s feedback to these seven states in the decision letters sent to each state regarding their use of the ACT assessment as part of a statewide system.



ACT Peer Review Results

7

states identified ACT as a component of their state assessment system in their peer review submissions.

Introduction:

The assessment peer review process mandated by ESEA, as amended by ESSA, aims to ensure that states implement rigorous academic standards and high-quality assessments. The peer review process is evidence-based, drawn from documentation submitted by states regarding the process used to develop and administer the assessments, and data-driven to confirm the quality of the assessment system. The review is conducted by cohorts of external assessment experts. Since ED paused peer review in 2012, almost every state has (a) substantially changed its academic content standards or adopted new ones, and (b) adopted new or revised assessments associated with those standards. As a result, all states must submit documentation for peer review of reading/language arts, mathematics, and science general and alternate assessments. The peer review process must be completed each time a new statewide assessment¹ is implemented.

A State's Guide to the U.S. Department of Education's Assessment Peer Review Process

In *A State's Guide to the U.S. Department of Education's Assessment Peer Review Process*, issued in 2018, ED broke down the type of evidence states must submit into 33 Critical Elements (CEs), grouped into seven sections:

1. Statewide system of standards and assessments
 2. Assessment system operations
 3. Technical quality – validity
 4. Technical quality – other
 5. Inclusion of all students
 6. Academic achievement standards and reporting
 7. Locally selected, nationally recognized academic assessments (states may elect to allow districts to administer an approved high school assessment different from the statewide high school assessment, though states are not required to implement this option)
- The *State's Guide* document lists each individual CE and includes a description of the level of quality states must meet in order to meet the requirements of the ED.
 - Examples of the types of evidence states may choose to include in their peer review information packet are also included for each CE.
 - » If a state's assessment is technology-based, specific examples of evidence are provided as well.
 - The list of evidence included in the *State's Guide* is not exhaustive and states may choose to submit types of evidence that are not listed.
 - The *State's Guide* also illustrates which CEs are likely to be addressed by state-specific evidence, which are likely to be addressed by evidence that can be coordinated among states that administer the same assessments, which may be addressed with a combination of state-specific and coordinated evidence, and which CEs will be checked for completeness by ED.

After a state submits their evidence packets—assembled as instructed by the *State's Guide*—teams of expert reviewers trained by ED then review them and submit notes on their findings back to states to provide them with initial feedback. ED then makes a final determination as to whether submitted evidence illustrates that a state's assessment system either meets, substantially meets, partially meets, or does not meet requirements. If required, states must then provide the additional evidence requested to prove that the assessment system(s) in question meets the requirements of ED.

¹U.S. Department of Education Peer Review of State Assessment Systems: Non-Regulatory Guidance for States for Meeting Requirements of the Elementary and Secondary Education Act of 1965, As Amended. 1st ed. (2015). Washington, DC: U.S. Department of Education.

²A *State's Guide to the U.S. Department of Education's Assessment Peer Review Process*. (2018). Washington, DC: U.S. Department of Education. Retrieved from <https://www2.ed.gov/admins/lead/account/saa/assessmentpeerreview.pdf>

Peer Review Decisions for States Administering ACT

The table below outlines ED determinations for state submissions that include ACT as part of the state’s assessment system. This table focuses only on determinations related to ACT use for which states need to submit additional state information or documentation to meet statutory requirements for peer review. Not all CEs are included in this table.

STATE	PEER REVIEW STATUS	CRITICAL ELEMENTS REQUIRING ADDITIONAL INFORMATION																										
		Statewide System of Standards & Assessments			Assessment System Operations						Technical Quality - Validity			Technical Quality - Other			Inclusion of All Students				Academic Achievement Standards & Reporting				Locally Selected, Nationally Recognized High School Academic Assessments			
		1.2	1.4	1.5	2.1	2.2	2.3	2.4	2.5	2.6	3.1	3.2	3.3	4.1	4.2	4.7	5.1	5.2	5.3	5.4	6.1	6.2	6.3	6.4	7.1	7.2	7.3	
Montana	Partially Meets Requirements		X		X	X		X	X		X	X	X	X	X	X	X	X	X				X					
Nebraska	Substantially Meets Requirements		X		X		X			X	X	X				X	X	X	X			X						
North Dakota	Substantially Meets Requirements				X		X			X	X	X	X		X		X	X	X			X	X	X		X		
Oklahoma	Substantially Meets Requirements			X	X					X	X	X	X		X	X	X	X				X	X	X	X	X		
West Virginia	Substantially Meets Requirements	X			X					X	X		X		X		X	X		X	X	X	X	X		X		
Wisconsin	Substantially Meets Requirements				X					X			X															
Wyoming	Partially Meets Requirements				X		X	X	X	X	X	X		X		X	X	X	X	X	X	X						

State Summaries:

Montana

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the Montana Office of Public Instruction (OPI) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
1.4 – Policies for Including All Students in Assessments	<ul style="list-style-type: none"> – Evidence of policies that students with disabilities publicly placed in private schools as a means of providing special education and related services are included in the assessment system.
2.1 – Test Design and Development	<ul style="list-style-type: none"> – A plan and a timeline to address the alignment issues identified in the existing alignment studies in order to ensure that the assessment measures the full range of the State’s academic content standards. – Strong evidence to establish that OPI’s academic content standards are equivalent to the State cited in the alignment studies.
2.2 – Item Development	<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. – Evidence for 2.1 will also address this CE.
2.4 – Monitoring Test Administration	<ul style="list-style-type: none"> – Evidence that OPI adequately monitors the administration of the assessments to ensure that test administration procedures are implemented with fidelity across Montana school districts and schools.
2.5 – Test Security	<ul style="list-style-type: none"> – Evidence of the detection of test irregularities, remediation following any test security incidents involving any of the State’s assessments, and investigation of alleged or factual test irregularities. – Evidence of clear consequences for confirmed violations of test security.
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Evidence that the State’s assessments measure the depth and breadth of Montana’s academic content standards. – Evidence for 2.1 will also address this CE.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Evidence that the test assesses the cognitive processes found in the depth and breadth of the State’s content standards. – Evidence for 2.1 will also address this CE.
3.3 – Validity Based on Internal Structure	<ul style="list-style-type: none"> – Evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s academic content standards. – Evidence for 2.1 will also address this CE.
4.1 – Reliability	<ul style="list-style-type: none"> – Evidence of reliability based on Montana’s student population (e.g., reliability estimates for the State overall and for major reporting subgroups; standard error of measurement for the State overall and for major reporting subgroups; and estimates of classification accuracy and decision consistency for the State overall and for major reporting subgroups—including evidence for consistency and accuracy of estimates in categorical classification decisions for the cut scores and achievement levels based on assessment results).

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
4.2 – Fairness and Accessibility	<ul style="list-style-type: none"> – Evidence that the State has taken reasonable and appropriate steps to ensure the assessment is accessible to all students and fair across student groups in the State (e.g., analysis of sub-group performance for Montana students on the tests).
4.7 – Technical Analysis and Ongoing Maintenance	<ul style="list-style-type: none"> – Evidence of an ongoing process for monitoring, maintaining, and improving, as needed, the technical quality of its assessment system.
5.1 – Procedures for Including Students with Disabilities	<ul style="list-style-type: none"> – Provide clear explanation of the differences between assessments based on grade-level academic achievement standards and assessments based on alternate academic achievement standards. – Evidence of the State's process for ensuring that students with disabilities are included in the ACT, with clear guidelines for accommodations and the receipt of college-reportable scores.
5.2 – Procedures for Including English Learners	<ul style="list-style-type: none"> – Guidance regarding the selection of appropriate accommodations for English Learners. – Evidence of the State's process for ensuring that English Learners are included in the ACT with clear guidelines for allowable supports and the receipt of college-reportable scores.
5.3 – Accommodations	<ul style="list-style-type: none"> – Evidence clarifying that students who receive allowable accommodations will receive equal benefits (e.g., college-reportable scores). Evidence submitted for 5.1 may also address this CE.
5.4 – Monitoring Test Administration for Special Populations	<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 appropriate accommodations, are selected for students with disabilities under the Individuals with Disabilities Education Act, students covered by Section 504, and English learners so that they are appropriately included in assessments and receive accommodations that are: <ul style="list-style-type: none"> ♦ Consistent with the State's policies for accommodations; ♦ Appropriate for addressing a student's disability or language needs for each assessment administered; ♦ Consistent with accommodations provided to the students during instruction and/or practice; ♦ Consistent with the assessment accommodations identified by a student's IEP team or 504 team for students with disabilities, or another process for an English Learner; and ♦ Administered with fidelity to test administration procedures.
6.4 – Reporting	<ul style="list-style-type: none"> – Evidence that OPI reports to the public its assessment results on student achievement at each proficiency level and the percentage of students not tested, for all students and each student group, after each test administration. – Evidence that OPI follows a process and a timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration.

Nebraska

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the Nebraska Department of Education (NDE) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
1.4 – Policies for Including All Students in Assessments	<ul style="list-style-type: none"> – Evidence that the State clearly and consistently communicates to districts and schools the requirement that all public elementary and secondary school students must participate in assessments. – Evidence of policies stating that all students with disabilities publicly placed in private schools, as a means of providing special education and related services, must be included in the assessment system.
2.1 – Test Design and Development	<ul style="list-style-type: none"> – Evidence that the test design is aligned to the depth and breadth of the State’s high school academic content standards (e.g., evidence of alignment of the test design blueprint to academic content standards).
2.4 – Monitoring Test Administration	<ul style="list-style-type: none"> – Evidence that NDE adequately monitors the administration of its State assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools.
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Documentation of adequate alignment between the State’s assessments and the State’s academic content standards that the assessments are designed to measure in terms of content (i.e., knowledge and process), the depth and breadth of the State’s academic content standards, balance of content, and cognitive complexity.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Evidence that NDE’s assessment items (and item types) tap the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards.
3.3 – Validity Based on Internal Structure	<ul style="list-style-type: none"> – Evidence that the scoring and reporting structures are consistent with subdomain structures of the State’s academic content standards on which the intended interpretations and uses of results are based (such as a factor analysis).
5.1 – Procedures for Including Students with Disabilities	<ul style="list-style-type: none"> – Evidence of the State’s process for ensuring that students with disabilities are included in the ACT, with clear guidelines for accommodations and the receipt of college-reportable scores. – Evidence that students with disabilities are not denied the opportunity to participate in the assessment or denied any benefits from participation in the assessment.
5.2 – Procedures for Including English Learners	<ul style="list-style-type: none"> – Evidence of the State’s process for ensuring that English Learners are included in the ACT with clear guidelines for allowable supports and the receipt of college-reportable scores. – Evidence that students with disabilities are not denied the opportunity to participate in the assessment or denied any benefits from participation in the assessment..
5.3 – Accommodations	<ul style="list-style-type: none"> – Evidence demonstrating that the accommodations provided: <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; and ◆ Allow meaningful interpretations of results and comparison of scores for students who need and receive accommodations as well as for students who do not need and do not receive accommodations.

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
5.4 – Monitoring Test Administration for Special Populations	– Evidence that the State monitors test administration in districts and schools to ensure that appropriate assessments, with or without appropriate accommodations, are selected for students with disabilities under the Individuals with Disabilities Education Act, students covered by Section 504, and English learners, to ensure that accommodations are administered with fidelity and State test administration procedures are followed.
6.3 – Challenging and Aligned Academic Achievement Standards	– Evidence that the State's academic achievement standards are challenging and aligned to the State's academic content standards. .

North Dakota

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the North Dakota Department of Public Instruction (NDDPI) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
2.1 – Test Design and Development	<ul style="list-style-type: none"> – Evidence that the ACT is aligned to the North Dakota academic content standards (e.g., an alignment study of the ACT with the State’s academic content standards). – Evidence of a test design for the ACT that includes a balance of depth of knowledge (DOK) across and within reporting categories that is representative of the cognitive demand found within the State’s academic content standards.
2.4 – Monitoring Test Administration	<ul style="list-style-type: none"> – Evidence of a process for monitoring the administration of the ACT to ensure that standardized test administration procedures are implemented with fidelity across districts and schools.
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Evidence that all standards are included in the assessment system, including any standards that are excluded because they are not reading/language arts “Anchor Standards” or “standards for mathematical practice.” – Evidence for 2.1 will also address this CE.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Evidence of validity that the ACT assessment taps the intended cognitive processes as represented in the State’s content standards (e.g., think-aloud labs, item analysis protocols, and surveys following test items).
3.3 – Validity Based on Internal Structure	<ul style="list-style-type: none"> – Evidence of internal structure validity of the ACT writing test (e.g., correlations among domains scores).
4.1 – Reliability	<ul style="list-style-type: none"> – Evidence that the issue of lower ACT test reliability for North Dakota Native Americans and Alaskan Natives was addressed to determine possible causes. – Evidence of reliability, overall standard errors of measurement (SEM), and conditional SEM of subtests for the ACT writing test.
4.7 – Technical Analysis and Ongoing Maintenance	<ul style="list-style-type: none"> – Evidence of a process (i.e., including the State’s technical advisory committee (TAC) for monitoring, maintaining, and improving the State’s administration of the ACT [e.g., TAC meeting agendas and minutes]). – Evidence of how adequate technical quality will be made public on the State’s website
5.2 – Procedures for Including English Learners (ELs)	<ul style="list-style-type: none"> – Evidence that all of the supports and accommodations available to English Learners on the State’s high school assessment (NSDA) are also available to students in a local education agency (LEA) that participates in the ACT as a locally selected option.
5.3 – Accommodations	<ul style="list-style-type: none"> – Evidence that the accommodations provided do not alter the construct being assessed and allow for meaningful interpretations of results. – Evidence that the use of any non-allowable accommodations on the test will result in an invalid individual score result.
5.4 – Monitoring Test Administration for Special Populations	<ul style="list-style-type: none"> – Evidence of a plan and forms for collecting information (e.g., monitoring of classrooms, self-report by teachers) linking the accommodations actually used during classroom instruction with the accommodations in the IEP and the ones used during testing.

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
6.3 – Challenging and Aligned Academic Achievement Standards	<ul style="list-style-type: none"> – Evidence that the State’s academic achievement standards for the ACT test in reading/language arts are challenging and aligned to the State’s academic content standards and with the entrance requirement for credit-bearing coursework in the system of public higher education in the State such that a student who scores at the proficient or above level has mastered what students are expected to know and be able to do by the time they graduate from high school in order to succeed in college and the workforce.
6.4 – Reporting	<ul style="list-style-type: none"> – Evidence that the student reports: <ul style="list-style-type: none"> ◆ Report the student’s academic achievement in terms of the State’s grade-level academic achievement standards; and ◆ To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed). ◆ Evidence of the reliability of each of the subscale scores on score reports, or the addition of confidence intervals reflecting the level of precision.
7.1 – State Procedures for the Use of Locally Selected, Nationally Recognized High School Academic Assessments	<ul style="list-style-type: none"> – Evidence that the State has established technical criteria to use in its review of the ACT as a locally selected, nationally recognized high school academic assessment. – Evidence that the State has completed its technical review of the ACT. – Evidence provided for CEs 2.1, 2.3, 5.2, and 5.3 will also address this CE.
7.3 – Comparability of the Locally Selected, Nationally Recognized High School Academic Assessments with the State Assessments	<ul style="list-style-type: none"> – Evidence of comparability between the ACT tests and the North Dakota State Assessment tests (e.g., tables comparing reliability and validity coefficients for the tests). – Evidence provided for CEs 2.1 and 3.1 will also address this CE.

Oklahoma

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the Oklahoma State Department of Education (OSDE) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
1.5 – Meaningful Consultation in the Development of Challenging State Standards and Assessments	<ul style="list-style-type: none"> – Evidence that the State has conducted meaningful and timely consultation with representatives of American Indian tribes located in the State in developing the academic content standards adopted in 2016.
2.1 – Test Design and Development	<ul style="list-style-type: none"> ◆ Evidence that the test design of the ACT addresses the full depth and breadth of the State’s academic content standards, such as test blueprints which indicate the number or percentage of items by depth of knowledge (DOK) classification within each reporting category of the academic content standards.
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Documentation of adequate alignment between the ACT and the full breadth and depth of the State’s academic content standards that its assessments are designed to measure, specifically that: <ul style="list-style-type: none"> ◆ The ACT assesses all of the academic content standards in reading/language arts. ◆ The ACT reporting categories align with the State’s academic content standards (e.g., there is a coherent relationship between the State’s mathematics standards and the mathematics standards represented by the ACT’s reporting categories). ◆ The State has confirmed that all planned changes/updates to ACT forms based upon findings of the alignment evaluation have been implemented.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Evidence of validity that the ACT taps the intended cognitive processes as represented in the State’s content standards (e.g., think-aloud items, item analysis protocols, and surveys following test items).
3.3 – Validity Based on Internal Structure	<ul style="list-style-type: none"> – Adequate validity evidence that the scoring and reporting structures of the ACT writing test are consistent with the sub-domain structures of the State’s content standards (e.g., correlations among domain scores).
4.1 – Reliability	<ul style="list-style-type: none"> – Evidence of subtest reliabilities. – Evidence for overall and conditional standard error of measurement (CSEM) by student group. – Evidence of reliability, including overall standard error of measurement (SEM) and CSEM of subtests for the ACT writing test.
4.7 – Technical Analysis and Ongoing Maintenance	<ul style="list-style-type: none"> – Evidence that OSDE has a system for monitoring, maintaining, and improving, as needed, the quality of its assessment system, including clear and technically sound criteria for the analyses of the ACT.
5.1 – Procedures for Including Students with Disabilities	<ul style="list-style-type: none"> – Evidence that decisions about how to assess students with disabilities are made by a student’s IEP team under the Individuals with Disabilities Education Act, the placement team under Section 504, or the individual or team designated by a district to make that decision under Title II of the ADA, as applicable, based on each student’s individual abilities and needs. Specifically, evidence that the State has determined what accommodations are allowable on the ACT and communicates the allowable accommodations to IEP teams. If IEP teams select allowable accommodations for the State tests, including the ACT, then the student must be allowed to take the test with those accommodations and receive a valid score. – Evidence that no student with a valid score on the State assessment (including the ACT) is denied the equal benefits of other students (i.e., all students with a valid score receive a college-reportable score).

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
5.2 – Procedures for Including English Learners (ELs)	<ul style="list-style-type: none"> – Evidence of procedures for determining whether an English Learner should be assessed with linguistic accommodation(s). Specifically, evidence that the State has determined what EL accommodations are allowable on the ACT and communicates the allowable accommodations to LEAs. If EL service teams in LEAs select allowable accommodations for the State tests, including the ACT, then the student must be allowed to take the test with accommodations and receive a valid score. – Evidence that no student with a valid score on the State assessment (including the ACT) is denied the equal benefits of other students (i.e., all students with a valid score receive a college-reportable score).
5.3 – Accommodations	<ul style="list-style-type: none"> – Evidence of a process to individually review and allow exceptional requests for a small number of students who require accommodations on the ACT beyond those routinely allowed. – Evidence that the accommodations provided do not alter the construct being assessed and allow for meaningful interpretation of results. – Evidence that OSDE ensures that accommodations for the ACT do not deny students with disabilities or English Learners the opportunity to participate in the assessment or any benefits from participation in the assessment (see the evidence requested in CEs 5.1 and 5.2 regarding allowable accommodations for students with disabilities and English Learners, respectively).
6.3 – Challenging and Aligned Academic Achievement Standards	<ul style="list-style-type: none"> – Evidence that the ACT achievement standards for mathematics and reading/language arts align 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 proficiency 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.
6.4 – Reporting	<ul style="list-style-type: none"> – Evidence that student reports: <ul style="list-style-type: none"> ♦ Provide information to help parents, teachers, and principals interpret the test results and address the specific academic needs of students; and ♦ To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed). – Evidence of the reliability of each of the subscale scores on score reports, or the addition of confidence intervals reflecting the level of precision. – Evidence of how the state will report mathematics scores consistent with the model it validated through confirmatory factor analysis. – Evidence submitted for CE 3.3 will also address this CE.
7.1 – State Procedures for the Use of Locally Selected, Nationally Recognized High School Academic Assessments	<ul style="list-style-type: none"> – Evidence that the State has established technical criteria to review any selection of a nationally recognized high school assessment. – Evidence that the State has completed this review of the ACT using its established technical criteria and has found that the use of the locally selected assessment meets its criteria. – Evidence requested for CEs 5.1, 5.2, and 5.3 is needed to also address this CE in terms of allowable accommodations.
7.2 – State Monitoring of Districts Regarding the Use of Locally Selected, Nationally Recognized High School Academic Assessments	<ul style="list-style-type: none"> – Evidence that OSDE has procedures to ensure that before an LEA requests approval to use a nationally recognized assessment like the ACT, it describes how the LEA notified all parents of high school students it serves: <ul style="list-style-type: none"> ♦ That the LEA intends to request approval from OSDE to use a nationally recognized high school academic assessment in place of the statewide academic assessment; ♦ How parents, and as appropriate, students may provide meaningful input regarding the district’s request (includes students in public charter schools who would be included in such assessments); and ♦ Of any effect of such a request on the instructional program in the LEA.
7.3 – Comparability of the Locally Selected, Nationally Recognized High School Academic Assessments with the State Assessments	<ul style="list-style-type: none"> – Evidence of comparability between the ACT test and the statewide test (the SAT) (e.g., tables comparing reliability coefficients for the tests, in addition to correlations between the two tests already provided). – Evidence for CEs 2.1 and 3.1 are needed to address this CE.

West Virginia

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the West Virginia Department of Education (WVDE) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
1.2 – Coherent and Rigorous Academic Standards	<ul style="list-style-type: none"> – Evidence that the State’s challenging academic content standards are aligned to entrance requirements for credit-bearing coursework in the State’s system of higher education and relevant State career and technical standards.
2.1 – Test Design and Development	<ul style="list-style-type: none"> ♦ Evidence that the ACT is aligned to the West Virginia academic content standards (e.g., an alignment study of the ACT with the State’s academic content standards). ♦ Evidence of the test design for the ACT that includes a balance of the cognitive demand (as expressed through depth of knowledge that is representative of the cognitive demand found within the State’s academic content standards).
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Evidence that the content of operational forms of the ACT is aligned to the State’s academic content standards. – Evidence for CE 2.1 will also address this CE.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Evidence of validity that the ACT taps the intended cognitive processes as represented in the State’s content standards (e.g., think-aloud items, item analysis protocols, and surveys following test items).
4.1 – Reliability	<ul style="list-style-type: none"> – Given the low reliability estimates for many subscale scores, if the State chooses to report subscales in each content area, WVDE must report the subscales with confidence intervals. – Reliability and overall CSEM by student group are needed.
4.7 – Technical Analysis and Ongoing Maintenance	<ul style="list-style-type: none"> – Evidence that WVDE makes information about the technical quality of the ACT public, including on the State’s website.
5.2 – Procedures for Including English Learners (ELs)	<ul style="list-style-type: none"> – Evidence that all of the supports and accommodations available to English Learners on the State’s high school assessment (the SAT) are also available to students in an LEA that participates in the ACT as a locally selected option.
5.3 – Accommodations	<ul style="list-style-type: none"> – Evidence that the accommodations provided on the ACT do not alter the construct being assessed and allow for meaningful interpretation of results. – Evidence that the use of any non-allowable accommodations on the ACT will result in an invalid individual score result.
6.1 – State Adoption of Academic Achievement Standards for All Students	<ul style="list-style-type: none"> – Evidence that the State has formally adopted academic achievement standards for the ACT science test and applies these standards to all grades to which they apply. These standards must have at least three levels of achievement, descriptions of competencies associated with each, and scores differentiating among the levels.
6.2 – Achievement Standards Setting	<ul style="list-style-type: none"> – Evidence of a technically sound method and process that involved panelists with appropriate experience and expertise for setting academic achievement standards for the ACT science test that are comparable with standards from the State’s high school science assessment. – Evidence to support the establishment of achievement standards for the State’s high school tests (the SAT) so that the comparability of the ACT’s concordant achievement standards can be evaluated.

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
6.3 – Challenging and Aligned Academic Achievement Standards	<ul style="list-style-type: none"> – Evidence of cut scores and achievement level descriptors on the ACT for all content areas (reading/language arts, mathematics, and science). – As noted in CE 6.2, evidence to support the establishment of achievement standards for the State's high school tests (the SAT) so that the comparability of the ACT's concordant achievement standards can be more readily evaluated.
6.4 – Reporting	<ul style="list-style-type: none"> – Evidence that student reports: <ul style="list-style-type: none"> ◆ Include the student's academic achievement in terms of the State's academic achievement standards; ◆ Provide information to help parents, teachers, and principals interpret the test results and address the specific academic needs of students; ◆ Are provided in an understandable and uniform format; and ◆ To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed).
7.1 – State Procedures for the Use of Locally Selected, Nationally Recognized High School Academic Assessments	<ul style="list-style-type: none"> – Evidence that student reports: <ul style="list-style-type: none"> – Include the student's academic achievement in terms of the State's academic achievement standards; – Provide information to help parents, teachers, and principals interpret the test results and address the specific academic needs of students; – Are provided in an understandable and uniform format; and – To the extent practicable, are available in alternative formats (e.g., oral or written translations and accessible formats as needed).
7.3 – Comparability of the Locally Selected, Nationally Recognized High School Academic Assessments with the State Assessments	<ul style="list-style-type: none"> – Evidence of comparability between the ACT and the statewide high school assessments (the SAT) (e.g., tables comparing reliability coefficients for the tests, in addition to correlations between the two tests already provided). – Evidence requested for CEs 2.1, 3.1, and 6.2 are also needed to address this CE.

Wisconsin

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the Wisconsin Department of Public Instruction (WI DPI) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
2.1 – Test Design and Development	– Evidence that the test design addresses the full breadth and depth of the academic content standards, specifically that gaps identified in the alignment study have been addressed and implemented on the operational form of the assessment.
3.1 – Overall Validity, including Validity Based on Content	– Evidence of adequate validity based on test content, specifically that gaps in the test content, as identified in the alignment study, have been incorporated on operational forms of the assessment.
4.1 – Reliability	– Evidence that the State has documented adequate reliability evidence for its assessments for the following measures of reliability for each student group consistent with nationally recognized professional and technical testing standards, specifically the analysis and interpretation of potential reasons for lower reliability estimates of test scores for English learners in all subjects.

Wyoming

According to peer review feedback, to meet all peer review requirements for the use of ACT in its state assessment system, the Wyoming Department of Education (WDE) must submit the following documentation:

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
2.1 – Test Design and Development	<ul style="list-style-type: none"> – Documentation of independent alignment studies between the State’s academic content standards and the State’s high school assessment (the ACT).
2.3 – Test Administration	<ul style="list-style-type: none"> – Evidence of State policies for test administration to address unexpected or irregular testing situations that may arise during the course of test administration.
2.4 – Monitoring Test Administration	<ul style="list-style-type: none"> – Documentation that clearly identifies or clarifies WDE’s role in the monitoring of the ACT test administration.
2.5 – Test Security	<ul style="list-style-type: none"> – Documentation outlining what remediation WDE requires following test security violations. – Documentation of a test security agreement with ACT, including procedures ACT follows to report incidents to WDE.
2.6 – Systems for Protecting Data Integrity and Privacy	<ul style="list-style-type: none"> – Evidence of a specific data security agreement between WDE and ACT.
3.1 – Overall Validity, including Validity Based on Content	<ul style="list-style-type: none"> – Evidence of independent alignment studies evaluating the test items to the State content standards for all assessments.
3.2 – Validity Based on Cognitive Processes	<ul style="list-style-type: none"> – Documentation that all of the State’s assessments measure the intended cognitive processes appropriate for each grade level as represented in the State’s academic content standards.
3.3 – Validity Based on Internal Structure	<ul style="list-style-type: none"> – Evidence that the reporting structures are consistent with the sub-domain structures of the State’s academic content standards.
4.2 – Fairness and Accessibility	<ul style="list-style-type: none"> – Documentation on the accommodations that can be used for each assessment, grade, and subject area. – Training materials given to ACT fairness review committees and item writers, including demographic information on these reviewers.
5.1 – Procedures for Including Students with Disabilities	<ul style="list-style-type: none"> – Documentation of training provided to teachers on accommodations. – Documentation to clarify the relationship between WDE’s inclusion/accommodation policies and ACT’s.
5.2 – Procedures for Including English Learners (ELs)	<ul style="list-style-type: none"> – Evidence of training for teachers on EL accommodations. – Evidence that English Learners receive appropriate accommodations related to their English proficiency based on their individual needs. – Documentation of the process, including who is on the decision-making team, for determining accommodations for English Learners. – Evidence of a decision-making framework that schools use to make accommodation decisions.
5.3 – Accommodations	<ul style="list-style-type: none"> – Documentation of the process for reviewing an exceptional accommodation request.

CRITICAL ELEMENT	ADDITIONAL DOCUMENTATION NEEDED
5.4 – Monitoring Test Administration for Special Populations	<ul style="list-style-type: none"> – Evidence that WDE monitors test administration in its districts and schools to ensure that appropriate assessments, with or without appropriate accommodations, are selected for students with disabilities under the Individuals with Disabilities Education Act, students covered by Section 504, and English Learners so they are appropriately included in assessments and receive accommodations that are: <ul style="list-style-type: none"> ♦ Consistent with the State’s policies for accommodations; ♦ Appropriate for addressing a student’s disability or language needs for each assessment administered; ♦ Consistent with accommodations provided to the students during instruction and/or practice; and ♦ Consistent with the assessment accommodations identified by a student’s IEP team or 504 team for students with disabilities, or another process for an English Learner. – Administered with fidelity to test administration procedures.
6.1 – State Adoption of Academic Achievement Standards for All Students	<ul style="list-style-type: none"> – Documentation of formal adoption of academic achievement standards for high school.
6.2 – Achievement Standards Setting	<ul style="list-style-type: none"> – Clarify how the WDE performance-level descriptors for the ACT are connected to WDE’s content standards and to the interpretations of academic knowledge and skills.
6.4 – Reporting	<ul style="list-style-type: none"> – Documentation of the availability of score reports in alternate formats (e.g., Braille, translations, etc.). – Documentation of the process and timeline for delivering individual score reports.