



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Mike Morath
Commissioner
Texas Education Agency
1701 North Congress Avenue
Austin, TX 78701

SEP 19 2019

Dear Commissioner Morath:

Thank you for your participation in the U.S. Department of Education's (the Department) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). I appreciate the efforts of the Texas Education Agency (TEA) to prepare for the English language proficiency (ELP) peer review, which occurred in April 2019. Specifically, TEA submitted evidence regarding the Texas English Language Proficiency Assessment System (TELPAS), the State's general ELP assessment.

The ESEA and its implementing regulations require a State to ensure that its local education agencies (LEAs) provide an annual ELP assessment of all English learners (ELs) in grades K-12 in schools served by the State (ESEA section 1111(b)(2)(G); 34 CFR § 200.6(h)). Specifically, the ESEA requires a State to develop a uniform statewide ELP assessment to measure ELP of all ELs in the State, including ELs with disabilities, and to provide an alternate ELP assessment (AELPA) for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with accommodations (ESEA section 1111(b)(2)(G); 34 CFR § 200.6(h)(1), (5)). The ESEA and its implementing regulations require that a State's ELP assessments, including the AELPA, be aligned with the State's ELP standards, provide valid and reliable measures of the State's ELP standards, and be of adequate technical quality (ESEA section 1111(b)(2)(G); 34 CFR §§ 200.2(b)(2), (b)(4), (b)(5), 200.6(h)(2)).

External peer reviewers and Department staff carefully evaluated TEA's submission and the Department found, based on the evidence received, that this component of your assessment system met some, but not all of the statutory and regulatory requirements 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:

- General ELP assessment (TELPAS): **Partially meets requirements of the ESEA, as amended by ESSA.**

An assessment that partially meets requirements does not meet a number of the requirements of the statute and regulations and TEA will need to provide substantial additional information to demonstrate it meets the requirements. The Department realizes that this was the first time your State was required to provide its ELP assessment for peer review and recognizes that it may take some time to address all of the required items. The specific list of items required for TEA to submit is enclosed with this letter.

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<http://www.ed.gov/>

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

I also note that TEA did not submit evidence for an alternate ELP assessment for ELs with significant cognitive disabilities who are unable to take the regular ELP assessment and that TEA administered an alternate ELP assessment for the first time in 2018-19. I look forward to TEA's submission of evidence for peer review of this assessment in the coming year.

Within 30 days, TEA must provide a plan and timeline for submitting all required documentation for the TELPAS for peer review. Resubmission should occur once all necessary evidence is complete (rather than in multiple submissions). The Department is placing a condition on TEA's Title I, Part A grant award. The condition shall remain until TEA's ELP and alternate ELP assessments have been determined to meet all requirements. If adequate progress is not made, the Department may take additional action.

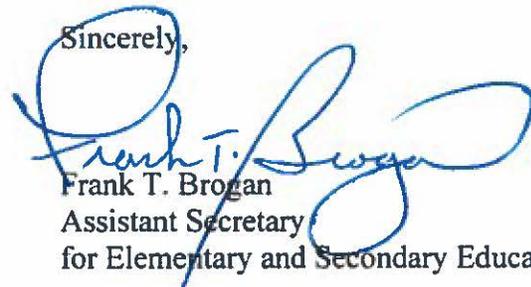
Additionally, the Office of Special Education and Rehabilitative Services (OSERS) will monitor progress on matters pertaining to requirements in the Individuals with Disabilities Education Act (IDEA) related to the participation of students with disabilities in Title I assessments. In particular, OSERS will monitor progress against critical elements 1.4, 4.2, 5.3, and 5.4. Insufficient progress to address such matters may lead OSERS to place a condition on TEA's fiscal year 2020 IDEA Part B grant award.

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: ESEA.Assessment@ed.gov.

Sincerely,



Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

Enclosures

cc: Tyson Kane, Executive Director of Student Assessment

Critical Elements Where Additional Evidence is Needed to Meet the Requirements for Texas' Use of the TELPAS as an English Language Proficiency (ELP) Assessment

Critical Element	Additional Evidence Needed
1.2 – Coherent and Progressive ELP Standards that Correspond to the State’s Academic Content Standards	For TELPAS: <ul style="list-style-type: none"> • Evidence that the ELP standards align to the State’s academic content standards and contain language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science.
1.3 – Required ELP Assessments	For TELPAS: <ul style="list-style-type: none"> • Documented State policy that requires the participation of all ELs in grades K-12 to be administered an ELP assessment annually, either TELPAS or an alternate ELP assessment (AELPA) for English learners (ELs) with the most significant cognitive disabilities.
1.4 – Policies for Including All ELs in ELP Assessments	For TELPAS: <ul style="list-style-type: none"> • See evidence requested in critical element 1.3. • Clarification regarding the use of “Non-authentic academic response (NAAR)” and “medical exceptions” forms by local educational agencies and the State’s policy for assessing all ELs annually on his or her ELP.
2.1 – Test Design and Development	For TELPAS: <ul style="list-style-type: none"> • Evidence that 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 ELP standards, and includes: <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 ELP standards, and support the intended interpretations and uses of the results. ○ Processes to ensure that the ELP assessment is tailored to the knowledge and skills included in the State’s ELP standards and reflects appropriate inclusion of the range of complexity found in the standards (e.g., item writer guidelines that clearly provide evidence that items are written to specific standards and PLDs; item review processes and procedures to ensure intended alignment was achieved; external judgement of alignment; evidence of the usability of the online TELPAS).
2.2 – Item Development	For TELPAS: <ul style="list-style-type: none"> • Evidence that the State uses reasonable and technically sound procedures to develop and select items to assess student ELP based on the State’s ELP standards in terms of content and language processes, specifically: <ul style="list-style-type: none"> ○ Test item specifications and/or test item writing training materials for each domain that contain detail sufficient to demonstrate how test items should be written to appropriately assess the State’s ELP standards. ○ Information regarding the qualifications of test item writers (e.g., experience as educators of ELs, and experience and expertise with ELs with disabilities as well as with ELs from a variety of sub-populations in the State).

<p>2.4 – Monitoring Test Administration</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the State adequately monitors the administration of its ELP assessments to ensure that standardized test administration procedures are implemented with fidelity across districts and schools. This evidence may include examples of practice and procedures such as: <ul style="list-style-type: none"> ○ Results of monitoring visits conducted by State staff, through regional centers, by districts with support from the State, or another approach; OR ○ Existing written documentation of the State’s procedures for monitoring test administration across the State, including, for example, strategies for selection of districts and schools for monitoring, cycle for reaching schools and districts across the State, training on monitoring, observation forms, schedule for monitoring, monitors’ roles, and the responsibilities of key personnel.
<p>2.5 – Test Security</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the State has implemented and documented an appropriate set of policies and procedures to prevent, detect and remediate testing irregularities and ensure the integrity of test results (e.g., the policies and procedures that address secure technology-based test administration challenges related to hardware, software, internet connectivity and internet access).
<p>2.6 – Systems for Protecting Data Integrity and Privacy</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the State has policies and procedures in place to protect the integrity and confidentiality of its test materials, test-related data, and personally identifiable information, specifically: <ul style="list-style-type: none"> ○ To protect the integrity of its test-related data in test administration, scoring, storage and use of results (e.g., a description of testing vendor practices that protect these data).
<p>3.1 – Overall Validity, including Validity Based on Content</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the assessments measure the knowledge and skills specified in the State’s ELP standards, including: <ul style="list-style-type: none"> ○ Documentation of alignment (such as an independent alignment study or documentation of internal review of alignment, typically shown as data from the item content review, including a description of the review process and results) between the State’s ELP assessment and the ELP standards the assessment is designed to measure in terms of language knowledge and skills, the depth and breadth of the State’s ELP standards, across all proficiency levels, domains, and modalities identified therein. ○ Documentation of alignment between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards.
<p>3.2 – Validity Based on Linguistic Processes</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that its assessments tap the intended language processes appropriate for each grade level/grade-band as represented in the State’s ELP standards.

<p>3.3 – Validity Based on Internal Structure</p>	<p>For TELPAS:</p> <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 ELP standards on which the intended interpretations and uses of results are based (e.g., analyses that show the dimensionality of the assessment is consistent with the structure of the State’s ELP standards and the intended interpretations of results).
<p>3.4 – Validity Based on Relationships with Other Variables</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the State’s assessment scores are related as expected with other variables, for example: <ul style="list-style-type: none"> ○ Reports of analyses that demonstrate convergent and divergent relationships between State ELP listening, speaking, and writing assessment results and other assessments that measure similar and different constructs, such as academic content assessments in reading/language arts and in other content areas; OR ○ Studies showing that the EL students who are proficient on the ELP assessment have English proficiency that allows them to acquire and demonstrate their achievement of knowledge and skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science, including teacher reports, grades, and students recently exited reclassified as ELs; OR ○ Evidence of coherence between the placement assessment and the summative assessment (e.g., the proficiency level of the student based on the initial identification assessment is coherent with the proficiency level of the summative test).
<p>4.1 – Reliability</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards, specifically: <ul style="list-style-type: none"> ○ Test reliability of the State’s assessments estimated for its student population, including all domains (e.g., data for the composite in kindergarten and grade 1). ○ Consistency and accuracy of estimates in categorical classifications decisions for the cut scores, achievement levels or proficiency levels based on the assessment results (e.g., classification consistency data for all grades, all domains, and composites for each grade/grade-band and classification accuracy data for the writing domain at all grades/grade-bands; and also for the composite score at all grades/grade-bands).
<p>4.2 – Fairness and accessibility</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis (e.g., inclusion of ELs with disabilities as a sub-group in item analysis and/or differential item analysis (DIF) studies; evidence of bias and sensitivity item review process and results).

<p>4.3 – Full Performance Continuum</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the assessment provides an adequately precise estimate of student performance across the full performance continuum for ELP assessments, including performance for EL students with high and low levels of ELP and with different proficiency profiles across the domains of speaking, listening, reading, and writing. For example, such evidence might include: <ul style="list-style-type: none"> ○ Kindergarten and grade 1 TELPAS analyses that demonstrate precise estimates across the full performance continuum in all domains in the composite. ○ Item-level evidence, such as a description of the distribution of linguistic complexity and item difficulty indices that demonstrate the items included in each assessment adequately cover the full performance continuum specified in the State’s ELP standards.
<p>4.4 – Scoring</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that describes how ELs with a disability that precludes assessment in one or more of the required domains/components (listening, speaking, reading, and writing) such that there are no appropriate accommodations for the affected domain(s)/component(s), are assessed in the remaining domain(s)/component(s) in which it is possible to assess the student, and a description of how this will occur (e.g., describe how these students received overall ELP determinations; describe scoring for students who are blind and deaf/hard of hearing; and a general description of how the Texas Education Agency calculates a composite score when fewer than four domains are assessed).
<p>4.6 – Multiple Versions of an Assessment</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that, for the multiple versions of the ELP assessments (online versus paper-based delivery), 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 (e.g., specific information for comparability of the speaking and listening versions is requested).
<p>4.7 – Technical Analysis and Ongoing Maintenance</p>	<p>For TELAS:</p> <ul style="list-style-type: none"> • Evidence regarding the system for monitoring, maintaining, and improving the quality of the TELPAS assessment system, including clear and technically sound criteria for the analyses of all of the TELPAS assessments.
<p>5.1 – Procedures for Including Students with Disabilities</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence of procedures to ensure the inclusion of all public elementary and secondary school ELs with disabilities in the State’s ELP assessments, for example: <ul style="list-style-type: none"> ○ Clarification on the policy and practice related to the exception for students who need an assessment in Braille, students who need a sign language administration of the assessment, and/or students who have impaired or no hearing due to a disability for TELPAS in grades 2-12.
<p>5.3 – Accommodations</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> • Evidence that the provided accommodations for the writing assessment:

	<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.
<p>5.4 – Monitoring Test Administration for Special Populations</p>	<p>For TELPAS:</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 so that they are appropriately included in the ELP assessments (e.g., a summary of results of monitoring for the most recent year of test administration; or a summary of district investigations of reported irregularities).
<p>6.4 – Reporting</p>	<p>For TELPAS:</p> <ul style="list-style-type: none"> ● Evidence that the State provides coherent and timely information about each student’s attainment of the State’s ELP standards to parents 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 State reports are available in alternate formats, upon request, by a parent who is an individual with a disability as defined by the Americans with Disabilities Act.

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Critical Element 1.2 – Coherent and Progressive ELP Standards that Correspond to the State's Academic Content Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>For ELP standards: The ELP standards:</p> <ul style="list-style-type: none"> • are derived from the four domains of speaking, listening, reading, and writing; • address the different proficiency levels of ELs; and 	<p>ELP standards are derived from four domains</p> <ul style="list-style-type: none"> • Evidence Texas Administrative Code §74.4(c)(2– 5), pages 2–8 <p>ELP standards address different proficiency levels</p> <ul style="list-style-type: none"> • Evidence 02: Texas Administrative Code §74.4(d)(1– 6), pages 8–24 <p>ELP standards align to academic content standards</p> <ul style="list-style-type: none"> • Evidence 02: Texas Administrative Code §74.4(b)(2– 3), page 2 	<p>ELP standards are derived from four domains ELP standards address different proficiency levels Evidence is sufficient in demonstrating that the ELP standards are derived from four domains, and that they address four different proficiency levels of ELs (beginning, intermediate, advanced, and advanced high). Explicit in the documentation is that schools are required to provide content instruction across the foundational and enrichment curriculum in a way that is accessible to ELs.</p> <p>ELP standards align to academic content standards Implicit in the ELP standards are “language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards” in the repeated use of phrases such as: “cross-curricular,” “all content areas,” “grade-level learning expectations across foundation and enrichment curriculum” and the like. In the proficiency level descriptions, the phrase “comparable to native Englishspeaking peers” is frequently used.</p> <p>However, the ELP standards do not give specific “language proficiency expectations...appropriate to each gradelevel/grade-band in at least reading/language arts, mathematics, and science.” The only possible exception to this is the proficiency level descriptors for grades K-1 in reading and writing.</p> <p>TEA has claims of integrating ELP standards aligned to the state academic content standards but no evidence is</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 6

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<p>align to the State academic content standards (see definition¹). The ELP standards must contain <i>language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State's academic content standards appropriate to each grade-level/gradeband in at least reading/language arts, mathematics, and science.</i></p>		
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¹ see page 24 of “*A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process*”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 7

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Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
		<p>provided to support this claim. Example: TEA may submit products that demonstrate alignment of ELP standards to grade level academic content standards for teacher use.</p> <p>The Educator guide provides some evidence of alignment but only for K-1 reading and writing.</p> <p>From the examples of evidence to meet 1.2, the state should consider submitting one or more of the following:</p> <ul style="list-style-type: none"> <i>–Demonstration of a strong correspondence or linkage between the State’s academic content standards and the State’s ELP standards, such that the State can claim that language requirements outlined in the ELP standards correspond with the academic language demands of the State’s academic content standards. This evidence does not need to demonstrate that ELP standards include knowledge, skills, or vocabulary from the State’s academic content standards.</i> <i>–A detailed description of the strategies the State used to ensure that its ELP standards adequately specify English language knowledge and skills necessary to reflect the language needed to acquire and demonstrate the skills identified in the State’s academic content standards in at least reading/language arts, mathematics, and science.</i> <i>–Reports of external independent reviews of the State’s ELP standards, summaries of reviews by educators in the State, or other documentation. This documentation should confirm that the State’s ELP standards represent the English language proficiency expectations needed for ELs to demonstrate their achievement of skills identified in the State’s academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science.</i>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 8

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Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 1.2 Summary Statement		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evidence that ELP standards are integrated into the state content standards so that consistency in application is evident across the state. ○ TEA must provide evidence that the ELP standards are aligned to the state’s academic content standards because the ELP standards must contain language proficiency expectations that reflect the language needed for ELs to acquire and demonstrate their achievement of the knowledge and skills identified in the State’s academic content standards. ○ Evidence may include demonstration of a strong correspondence between the ELP standards and the language required to meet the content standards; a description of the strategies the state used to ensure this correspondence; or a reports of external reviews that confirm that the ELP standards represent the English language proficiency expectations needed for ELs to demonstrate achievement of the state’s content standards. • Such demonstrations should be by grade levels or by grade-bands, and at a minimum address the content areas of reading/language arts, mathematics and science. 		

Critical Element 1.3 – Required Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 9

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<p>The State's assessment system includes an <i>annual general and alternate ELP assessment</i> (aligned with State ELP standards) administered to:</p> <ul style="list-style-type: none"> All ELs in grades K-12. 	<p>Requirement of an annual ELP assessment for ELs in grades K–12</p> <ul style="list-style-type: none"> Evidence 03: Texas Administrative Code §101.1003(a) Evidence 04: Educator Guide to TELPAS, pages 1–2 	<p>State's evidence establishes that the State's assessment system includes a general ELP assessment that should be administered to that all ELs in grades K-12.</p> <p>However, evidence 03 cites State administrative code that states <i>"(b)In rare cases, the admission, review, and dismissal (ARD) committee in conjunction with the language proficiency assessment committee (LPAC) may determine that it is not appropriate for an ELL who receives special education services to participate in an English language proficiency assessment required by subsection(a)of this section for reasons associated with the student's particular disability."</i></p> <p>Staff find this regulation to be in conflict with the Federal statute and regulations for ELP assessments, which stipulate that all ELs must be assessed with an ELP assessment.</p> <p>Staff found a similar citation in evidence 05. There is a further clarification in evidence 05... <i>"Participation must be considered on a domain-by-domain basis."</i></p> <p>Therefore, the evidence is slightly in conflict. Staff believe the state should be asked to clarify the guiding policy in this regard.</p> <p>Staff also note that the regulation cited in evidence 03 is dated 2011. Staff is aware that the State has an alternate ELP assessment implemented in 2018-19.</p> <p>The State has not submitted an alternate ELP assessment (AELPA) for ELs with significant cognitive disabilities for this peer review.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 10

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Section 1.3 Summary Statement

X The following additional evidence is needed/provide brief rationale:

- clarification that State policy ensures that all ELs in grades K-12 are assessed with either the general ELP assessment or an AELPA (e.g., that all ELs are assessed with a State ELP assessment, but that some ELs may be excluded from one or more domains if they cannot be assessed in that domain with the ELP assessment or with an AELPA).
- evidence that the State includes ELs with significant cognitive disabilities in Statewide ELP assessment, either through the general ELP assessment or an alternate ELP assessment (AELPA).

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 11

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Critical Element 1.4 – Policies for Including All Students in Assessments

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> The State has policies that require the inclusion <i>of all public elementary and secondary ELs in the State’s ELP assessment</i>, including ELs with disabilities. 	<p>Inclusion of all ELs in an ELP assessment</p> <ul style="list-style-type: none"> Evidence 03: Texas Administrative Code §101.1003(a) Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 2 Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 2–3 Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, pages 1–3 	<p>As noted in critical element 1.3, evidence 03 indicates a state policy that excludes some ELs from the ELP assessment. This is supported also by evidence 05. However, evidence 07 may clarify the issue, since it specifies that <i>“In rare cases, it may be necessary for the ARD committee, in conjunction with the LPAC, to determine if an EL receiving special education services should not be assessed in listening, speaking, reading, and writing for reasons associated with the student’s particular disability. Participation must be considered on a domain-by-domain basis. The reason for not assessing the student must be well-supported and documented in the student’s individualized education program (IEP) by the ARD committee and in the student’s permanent record file by the LPAC. This decision is applicable only for an EL receiving special education services and who is not eligible for TELPAS Alternate”</i>.</p> <p>Staff believe that the policy described in evidence 07 meets requirement for the inclusion of all ELs in ELP assessments found in the Federal statute and regulations. The State may want to consider updating all related regulations and guidance so that they are clearly aligned regarding the appropriate inclusion of ELs in State ELP assessment.</p> <p>Staff are also concerned by references found in evidence 37, slide 146. A reference is made to “No Authentic Academic Response (NAAR) and Medical Exceptions (ME)” These exemptions are also found on slide 106. Staff believe that the State should clarify how these exemptions do not preclude the inclusion of all ELs in the ELP assessment.</p>
<p>Section 1.4 Summary Statement</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 12

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X as noted in critical element 1.3, the following additional evidence is needed/provide brief rationale:

- clarification that State policy ensures that all ELs in grades K-12 are assessed with either the general ELP assessment or an AELPA (e.g., that all ELs are assessed with a State ELP assessment, but that some ELs may be excluded from one or more domains if they cannot be assessed in that domain with the ELP assessment or with an AELPA).

- In particular, clarification regarding “Non-authentic academic response (NAAR) and medical exceptions” is needed.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 13

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Critical Element 1.5 – Meaningful Consultation in the Development of Challenging State Standards and Assessments

(Note: this is a new requirement under ESSA, so it does not apply to standards and assessments adopted prior to the passage of ESSA (December 2015)).

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State has developed or amended challenging <i>ELP</i> standards and assessments, the State has conducted meaningful and timely consultation with:</p> <ul style="list-style-type: none"> • State leaders, including the Governor, members of the State legislature and State board of education (if the State has a State board of education). • Local educational agencies (including those located in rural areas). • Representatives of Indian tribes located in the State. • Teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents. 	<p>n/a</p>	<p>No evidence is submitted because Texas ELP standards were adopted in 2007 and TELPAS was implemented in 2008.</p> <p>Because the State adopted their ELP standards prior to the passage of the ESSA, this critical element does not apply to the State's ELP submission.</p>
<p>Section 1.5 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required-- Because the State adopted their ELP standards prior to the passage of the ESSA, this critical element does not apply to the State's ELP submission.</p>		

SECTION 2: ASSESSMENT SYSTEM OPERATIONS

Critical Element 2.1 – Test Design and Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 14

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<p>The State’s test design and test development process is well-suited for the content, is technically sound, aligns the assessments to <i>the depth and breadth of the State’s ELP standards</i>, and includes:</p> <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 <i>the State’s ELP standards</i>, and support the intended interpretations and uses of the results. • Processes to ensure that the ELP assessment is tailored to the knowledge and skills included in <i>the State’s ELP standards</i> and reflects appropriate inclusion of the range of complexity found in the standards. • If the State administers computeradaptive assessments, the item pool and item selection procedures adequately support the test design and intended uses and interpretations of results. • If the State administers a computeradaptive assessment, it makes proficiency determinations with respect to the grade in which the student is enrolled and uses that 	<p>Purposes and Intended Uses of TELPAS</p> <ul style="list-style-type: none"> • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 1–2 and pages 12–13 <p>Test blueprints and test design</p> <ul style="list-style-type: none"> • Evidence 04: Educator Guide to TELPAS, pages 13– 14 • Evidence 08: TELPAS Blueprints o Grade 2 Reading o Grade 3 Reading o Grades 4–5 Reading o Grades 6–7 Reading o Grades 8–9 Reading o Grades 10–12 Reading o Grades 2–12 Listening and Speaking • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 18–19 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 21–23 • Evidence 09: TELPAS Test Construction Guides <p>Processes to ensure that the ELP assessment is tailored to the Texas ELP standards</p> <ul style="list-style-type: none"> • Evidence 04: Educator Guide to TELPAS, pages 13– 14 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 21–23 • Evidence 10: Excerpts from TELPAS Online Basic Training Course <p>Computer-adaptive or content portfolio assessments Not applicable</p>	<p>Purposes and Intended Uses of TELPAS Evidence is sufficient.</p> <p>Test blueprints and test design Evidence regarding test blueprints and test design is insufficient regarding how test items actually align to the depth and breadth of the State’s ELP standards; information was vague at times making it difficult to understand the connection between the reporting categories and the standards. For example, Evidence 08, Listening and Speaking Blueprint has only two “reporting categories” for Speaking—provide and summarize information; share opinions and analyze information, whereas the state’s ELP standards describe a greater variety of language functions.</p> <p>There is little evidence provided of alignment between the ELP standards and the test items in either test construction or review. The test construction guide is very general. The peers did not find evidence of item writing specifications or item writer training.</p> <p>An independent alignment study is required to verify the ELP assessment is aligned to the standards.</p> <p>Processes to ensure that the ELP assessment is tailored to the Texas ELP standards</p> <p>The inclusion of the range of complexity in the standards is accomplished through the PLDs and items are written to each PLD.</p> <p>Evidence from the TELPAS Online Basic Training Course indicates that teachers’ holistic assessment of ELs (K-1 all domains, 2-12 writing) is directly related to the PLDs of the</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 15

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<p>determination for all reporting. If the State administers a content assessment that includes portfolios, such assessment may be partially administered through a portfolio but may not be <i>entirely</i> administered through a portfolio.</p>		<p>Standards. Evidence is again minimal that processes are there to ensure that TELPAS is tailored to the state standards.</p> <p>A process is described in the Technical Digest, Chapter 6, 22-23 that could ensure that TELPAS is aligned to the language needed in state content assessments (e.g., “the STAAR assessment and content-area experts” are included throughout the development process) but there is little evidence of how the content experts were included or how their role ensured alignment.</p> <p>While the Texas submission states that evidence for the computer-adaptive or content portfolio assessments is not applicable, the assessment peer review instructions have requests that “For the State’s technology-based general assessments, in addition to the above: Evidence of the usability of the technology-based presentation of the assessments, etc.” There is an online portion of the TELPAS, therefore, this must be addressed in this crucial element. Evidence 21, TELPAS Listening and Speaking Cognitive Lab Summary Report is a start but the full report is necessary for review.</p>
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<p>Section 2.1 Summary Statement</p>	
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p>	<ul style="list-style-type: none"> • Evidence, such as an independent alignment study, to ensure that the ELP assessment is tailored to the knowledge and skills included in the State’s ELP standards and reflects appropriate inclusion of the range of complexity found in the standards • Item writer guidelines of such specific that clearly provide evidence that items are written to specific standards and PLDs • Item review processes and procedures to ensure intended alignment was achieved • Evidence of the usability of the online TELPAS, such as a description of conformance with established accessibility standards and best practices; or usability studies, the full TELPAS cognitive lab report.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 16

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Critical Element 2.2 Item Development

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 17

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<p>The State uses reasonable and technically sound procedures to develop and select items to:</p> <ul style="list-style-type: none"> Assess student English language proficiency based on the <i>State's ELP standards</i> in terms of content and language processes. 	<p>Development of items aligned to ELP standards</p> <ul style="list-style-type: none"> Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 2 and 5–7 Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 21–23 Evidence 12: TELPAS Listening Item Specifications Evidence 13: TELPAS Speaking Item Specifications Evidence 14: TELPAS Reading Item Specifications Evidence 15: TELPAS Reading Guidelines for Writers Evidence 16: Guidelines for Ensuring Item Accessibility Evidence 17: TELPAS Committee Building Guidelines Evidence 18: TELPAS Reading Item Review Meeting Rosters Evidence 19: TELPAS Listening and Speaking Item Review Meeting Rosters Evidence 20: TELPAS Reading Data Review Training Evidence 21: TELPAS Listening and Speaking Cognitive Lab Summary Report, pages 5–6 	<p>Development of items aligned to ELP standards The entire Evidence 11, Technical Digest, Chapter 2, provides a rather detailed description of the overall processes for test development, which are reasonable and technically sound.</p> <p>Taken together, the evidence provides a foundation of documenting the processes uses in item development and some minimal data (e.g., rosters) to confirm some of the processes. Specifications and instructions for Reading seem most highly developed in that they address more of the student expectations of the standards. However, it appears that the online Listening and Speaking items are quite new and potentially will be further expanded and documented to provide fuller coverage of the state's ELP standards.</p> <p>The weakness of the standards in addressing academic English language in the content areas (e.g., math, science) proliferates the specifications; it is never clear exactly how many items addressing content areas outside of social language and English language arts are actually to appear on each form. This is more an issue of lack of clarity of the standards rather than in their operationalization; however, clearer specifications would be expected for the items.</p> <p>The state seems to be missing evidence that “items are developed by individuals with expertise in the development of English language proficiency, experience as educators of ELs, and experience and expertise with ELs who are students with disabilities as well as with ELs from a variety of sub-populations in the State”. Within Evidence 2: Pg 2.4, there is the following statement “Following the development of test items by professional item writers, many of whom are current or former Texas teachers, committees of Texas educators review the items to ensure</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 18

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		<p>appropriate content and level of difficulty and to eliminate potential bias”. However, there is no evidence that this was completed for the TELPAS. It is important to include special education expertise and experience on the committees. It would be useful to include specific targets on TELPAS committee list for race/ethnicity, urbanicity, and special education.</p> <p>The reading data review training is sufficient for that domain, but the same type of training information is missing for speaking and listening. Additionally, similar documentation is needed for how reviewers are trained to look for content alignment, accessibility, and bias/sensitivity across all domains.</p> <p>Evidence 20 identifies that “information obtained from the cognitive lab will be used to refine the online interface and item types in preparation for the spring 2017 pilot.” However, there is no information on whether this was completed and what the results were. A full report with complete technical documentation on the TELPAS was not included.</p>
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Section 2.2 Summary Statement

<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Description of qualifications of item writers/developers as well as the reviewers • Provide a full technical report including, clearer specifications of number/types of items addressing academic English language in the content areas outside of English language arts • In order to review evidence for the assessment of the <i>State's ELP standards</i> in terms of content and language processes, the full cognitive lab report, not just the summary of the report.
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Critical Element 2.3 Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 19

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<p>The State implements policies and procedures for standardized test administration; specifically, the State:</p> <ul style="list-style-type: none"> • Has established and communicates to educators clear, thorough and consistent standardized procedures for the administration of its assessments, including administration with accommodations; • Has established procedures to ensure that general and special education teachers, paraprofessionals, teachers of ELs, specialized instructional support personnel, and other appropriate staff receive necessary training to administer assessments and know how to administer assessments, including, as necessary, alternate assessments, and know how to make use of appropriate accommodations during assessments for all students with disabilities; • If the State administers technologybased assessments, the State has defined technology and other related requirements, included technologybased test administration in its standardized procedures for test administration, and established contingency plans to address possible technology challenges during test administration. 	<p>Standardized Test Administration Procedures</p> <ul style="list-style-type: none"> • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 18–19, 22–26, and 44–45 • Evidence 22: 2018 TELPAS Supplement for Paper Administrations • Evidence 23: 2018 Supplemental Instructions for Special Administrations of TELPAS Listening and Speaking • Evidence 24: 2018 Texas Accommodation Policy Documents <p>Required training for test administration and use of accommodations (designated supports)</p> <ul style="list-style-type: none"> • Evidence 25: 2018 Texas Assessment Calendar of Events • Evidence 26: 2018–2019 District and Campus Coordinator Resources, pages 33, 36–38, 44–46, 55– 56, and 61 • Evidence 27: 2018 Assessment Management System User’s Guide, pages 3–8 • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 13–17 and 37 • Evidence 10: Excerpts from TELPAS Online Basic Training Course • Evidence 28: 2018 Accessibility Training • Evidence 29: 2018 TELPAS Training Updates • Evidence 30: Test Security Oaths <p>Technology requirements and contingency plans for technology challenges</p>	<p>Standardized Test Administration Procedures</p> <p>The process to standardize the ratings for K-1 in all domains and for 2-12 writing is present, but there is little evidence that they are followed as prescribed. Evidence 30 “Test Security Oaths” does provide some assurance but additional evidence of standardization would be helpful.</p> <p>In future submissions, stronger training evidence may include training agendas, presentations, and evidence of opportunities for scorer practice, including rubrics, exemplars, and practice item response sets to ensure that staff involved in scoring these items are prepared to do so with fidelity.</p> <p>Required training for test administration and use of accommodations (designated supports) Evidence presented here is sufficient.</p> <p>Technology requirements and contingency plans for technology challenges Evidence presented here is sufficient.</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 20

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

	<ul style="list-style-type: none">• Evidence 31: Unified Minimum System Requirements for Online Testing• Evidence 26: 2018–2019 District and Campus Coordinator Resources, page 194• Evidence 27: 2018 Assessment Management System	
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 21

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	<p>User's Guide, pages 47–48</p> <ul style="list-style-type: none">• Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 40–43• Evidence 32: Business Recovery Plan for Pearson Assessment Technology Engineering• Evidence 33: TEA Technology Contingency Plans	
Section 2.3 Summary Statement		
<input checked="" type="checkbox"/> No additional evidence is required		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 22

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 2.4 Monitoring Test Administration

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>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. Monitoring of test administration should be demonstrated for all assessments in the State system: the general ELP assessments and the AELPA.</p>	<p>Evidence 26: 2018–2019 District and Campus Coordinator Resources, pages 231 and 233–238</p> <ul style="list-style-type: none"> • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 48–49 • Evidence 34: Online Test Administrator Training Modules • Evidence 35: 2018 Test Security Supplement, pages 16–18, 23–25, and 38 • Evidence 36: Investigation of Testing Irregularities Flowchart • Evidence 37: 2018–2019 Testing Coordinator Training, slides 29–38 • Evidence 38: 2018 Student Assessment Data Validation Manual, pages 3–5 and 22 • Evidence 39: 2018 Performance-Based Monitoring Analysis System (PBMAS) Manual excerpts, pages 3, 4, 16, 28, and 29 • Evidence 40: Data Validation Monitoring Leaver Records Staging Letter • Evidence 41: Data Validation, Student Assessment Tiered Intervention Structure • Evidence 42: Division Coordination for Student Assessment Monitoring • Evidence 43: Bilingual Education/English as a Second Language (BE/ESL) Monitoring System, page 4–6, 8, 10, 17, and 18 • Evidence 44: On-Site Review Procedures Manual, page 1 • Evidence 45: Texas Education Code §39.056(a), (b), and (g) and §39.057(a)(1),(2), and (8) 	<p>The State provided some evidence that monitoring the ELP assessment had occurred in the 2018 administration. The type of monitoring that was described in much of the evidence (evidences 39–41) took the form a school system program audit/performance management protocol that includes the analysis of State assessment data. These monitoring efforts do not appear to focus on the administration of State assessments, but instead review data after administration has occurred.</p> <p>In the State’s evidence, there was guidance on monitoring online test administrations and paper test administrations for local district staff. There was not evidence of State level site observation provided. The State did not provide evidence of a systematic plan for selecting schools for monitoring visits.</p> <p>Staff believe that the State should provide additional evidence regarding the adequate monitoring of ELP test administration. Adequate monitoring could be demonstrated by evidence such as:</p> <ul style="list-style-type: none"> • a brief description of the overall State’s approach to monitoring ELP test administration (e.g., monitoring conducted by State staff, through regional centers, by districts with support from the State, or another approach); • existing written documentation of the State’s procedures for monitoring test administration across the State, including, for example, strategies for selection of districts and schools for monitoring, cycle for reaching schools and districts across the State, training on monitoring, observation forms, schedule for monitoring, monitors’ roles, and the responsibilities of key personnel.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 23

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Section 2.4 Summary Statement		
X_ The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none">• the State should provide additional evidence regarding the adequate monitoring of ELP test administration. Adequate monitoring could be demonstrated		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 24

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by evidence such as:

- a brief description of the overall State's approach to monitoring ELP test administration (e.g., monitoring conducted by State staff, through regional centers, by districts with support from the State, or another approach);

existing written documentation of the State's procedures for monitoring test administration across the State, including, for example, strategies for selection of districts and schools for monitoring, cycles for reaching schools and districts across the State, training on monitoring, observation forms, schedule for monitoring, monitors' roles, and the responsibilities of key personnel.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 25

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 2.5 Test Security

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has implemented and documented an appropriate set of policies and procedures to prevent test irregularities and ensure the integrity of test results through:</p> <ul style="list-style-type: none"> • Prevention of any assessment irregularities, including maintaining the security of test materials (both during test development and at time of test administration), proper test preparation guidelines and administration procedures, incident reporting procedures, consequences for confirmed violations of test security, and requirements for annual training at the district and school levels for all individuals involved in test administration; • Detection of test irregularities; • Remediation following any test security incidents involving any of the State's assessments; • Investigation of alleged or factual test irregularities. • Application of test security procedures to the general ELP assessments and the AELPA. 	<p>Security measures and processes to prevent testing irregularities</p> <ul style="list-style-type: none"> • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 11–14 • Evidence 37: 2018–2019 Testing Coordinator Training, slides 29–38 • Evidence 30: Test Security Oaths • Evidence 35: 2018 Test Security Supplement, pages 3– 4 and 10–19 • Evidence 46: Texas Education Code §39.0303 • Evidence 47: Texas Administrative Code §249.15(b) and (g) • Evidence 48: Pearson Contract excerpt (see highlighted section K and bullets) • Evidence 49: ABBI Security Features • Evidence 50: ABBI Security 2017 External Audit Report, page 5 • Evidence 51: Maintaining Test Security and Confidentiality • Evidence 52: Personal Oath of Security and Confidentiality <p>Detection of test irregularities</p> <ul style="list-style-type: none"> • Evidence 35: 2018 Test Security Supplement, pages 20–25 • Evidence 38: 2018 Student Assessment Data Validation Manual, pages 3–5 and 22 • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 13–14 <p>Remediation of test security incidents</p> <ul style="list-style-type: none"> • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 12–13 	<p>Evidence appears generally sufficient in terms of documentation of processes and procedures, for example:</p> <ul style="list-style-type: none"> • Test administrators and raters must sign an oath • Test security supplement lists good guidelines • Irregularities are clearly specified • Process for investigations are clear <p>There are two areas of concern:</p> <p>(1) The USED guidance states: <i>"For the State's technology-based assessments, evidence of procedures for prevention of test irregularities includes: Documented policies and procedures for districts and schools to address secure test administration challenges related to hardware, software, internet connectivity, and internet access."</i> While three domains of TELPAS are administered online, there was no documentation specifically addressing the above.</p> <p>(2) Evidence 50, ABBI Security External Audit report had several limitations. It seemed to confirm the overall design of the system, but it explicitly stated that it didn't do any testing on the system directly.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 26

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	Investigation of test irregularities	

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 27

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	<ul style="list-style-type: none"> • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 13–14 • Evidence 35: 2018 Test Security Supplement, pages 26–32 • Evidence 44: On-Site Review Procedures Manual, page 1 • Evidence 45: Texas Education Code §39.056(a), (b), and (g) and §39.057(a)(1),(2), and (8) • Evidence 36: Investigation of Testing Irregularities Flowchart <p>Test security procedures for the ELP assessment</p> <ul style="list-style-type: none"> • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 4–9 and 16–17 • Evidence 30: Test Security Oaths, pages 7–9 	
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Section 2.5 Summary Statement

The following additional evidence is needed/provide brief rationale:

- Specific evidence documenting policies and procedures to address secure test administration challenges related to hardware, software, internet connectivity and internet access, including the remediation of any irregularities

Critical Element 2.6 Systems for Protecting Data Integrity and Privacy

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 28

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has policies and procedures in place to protect the integrity and confidentiality of its test materials, test-related data, and personally identifiable information, specifically:</p> <ul style="list-style-type: none"> To protect the integrity of its test-related data in test administration, scoring, storage and use of results; To secure student-level assessment data and protect student privacy and confidentiality, including guidelines for districts and schools; To protect personally identifiable information about any individual student in reporting, including defining the minimum number of students necessary to allow reporting of scores for all students and student groups. 	<p>Protecting the integrity of test-related data</p> <ul style="list-style-type: none"> Evidence 53: Pearson Service Level Agreement for 2015–2019 assessment services, page 5 Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 4–6 Evidence 35: 2018 Test Security Supplement, pages 3–5 <p>Securing student level assessment data and protecting student privacy</p> <ul style="list-style-type: none"> Evidence 54: PAN User Roles and Permissions Evidence 55: Explanation of Masking Rules <p>Protecting personally identifiable information</p> <ul style="list-style-type: none"> Evidence 56: TEA FERPA Training, slides 33–47 Evidence 57: PEIMS-PID: Person Identification Database Evidence 58: Texas Education Code §1.005(g) and (g-1) Evidence 59: Texas Administrative Code §1.18(a)(5)(A) 	<p>Protecting the integrity of test-related data</p> <p>While not every example of evidence is required, in one area evidence was weak, in particular related to the following examples in the USED guidance: “Description of security features for storage of test response materials and related data (i.e., items, tests, student responses, and results)” It was unclear exactly how the vendor planned to do this.</p> <p>Securing student level assessment data and protecting student privacy</p> <p>Evidence was sufficient.</p>
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Section 2.6 Summary Statement

The following additional evidence is needed/provide brief rationale:

- Description of security features for storage of test response materials and related data (i.e., items, tests, student responses, and results).

SECTION 3: TECHNICAL QUALITY – VALIDITY

Critical Element 3.1 – Overall Validity, Including Validity Based on Content

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 29

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<p>The State has documented adequate overall validity evidence for its assessments consistent with nationally recognized professional and technical testing standards. The State’s validity evidence includes evidence that:</p> <p><i>The State’s ELP assessments</i> measure the knowledge and skills specified in the State’s ELP standards, including:</p> <ul style="list-style-type: none"> • Documentation of adequate alignment between the State’s ELP assessment and the ELP standards the assessment is designed to measure in terms of language knowledge and skills, the depth and breadth of the State’s ELP standards, across all proficiency levels, domains, and modalities identified therein; • Documentation of alignment (as defined) between the State’s ELP standards and the language demands implied by, or explicitly stated in, the State’s academic content standards; • If the State administers an AELPA aligned with alternate ELP achievement standards, the assessment shows adequate linkage to the State’s ELP standards in terms of content match (i.e., no unrelated content) and that the breadth of content and linguistic complexity 	<p>Alignment between ELP assessment and ELP Standards</p> <ul style="list-style-type: none"> • Evidence 04: Educator Guide to TELPAS, pages 1–2 • Evidence 12: TELPAS Listening Item Specifications • Evidence 13: TELPAS Speaking Item Specifications • Evidence 14: TELPAS Reading Item Specifications • Evidence 15: TELPAS Reading Guidelines for Writers • Evidence 05: 2017-2018 Technical Digest, Chapter 6, 21–23 <p>Alignment between ELP Standards and language demand</p> <ul style="list-style-type: none"> • Evidence 04: Educator Guide to TELPAS, pages 9– 12 • Evidence 05: 2017-2018 Technical Digest, Chapter 6, pages 25–28 • Evidence 60: Breakdown of 2018 TELPAS Items by ELP Standard and Proficiency Level <p>Evidence for AELPA Not applicable</p>	<p>Evidence for the validity of the TELPAS is not sufficient. There was no overall validity argument presented in the section.</p> <p>Information provided seems very general. There was no evidence of a content review which typically provides the number of items not aligned. There is no external alignment study provided.</p> <p>Evidence was provided that demonstrated how item writing was targeted to the PLDs and standards. However, there was no empirical evidence provided, for example, that the items actually were at the targeted levels of difficulty, much less that they were judged by an external panel to actually align to the standards as in the tables.</p> <p>Examples of evidence the state could provide, based on the USED guidance, include:</p> <ul style="list-style-type: none"> -Logical or empirical analyses that show that the test content adequately represents the depth and breadth of the State’s ELP standards -Report of expert judgment of the relationship between components of the assessment and the State’s ELP standards -For the ELP assessments, expert review of items showing that the items address language demands of grade level academic content standards -Report of results of an independent alignment study that is technically sound (i.e., method and process, appropriate units of analysis, clear criteria) and documents adequate alignment, specifically that: each assessment is aligned to its test blueprint, and each blueprint addresses the depth and breadth of the State’s ELP standards
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 30

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

determined in test design is appropriate for ELs who are students with the most significant cognitive disabilities.		
Section 3.1 Summary Statement		
<input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none">• Independent alignment study validating the test to both the State's ELP standards and the language demands implied by, or explicitly stated in, the State's academic content standards• Documentation of internal review of alignment, typically shown as data from the item content review, including a description of the process and results.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 31

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 3.2 Validity Based on Linguistic Processes

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 32

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has documented adequate validity evidence that its assessments tap <i>the intended language processes</i> appropriate for each grade level/gradeband as represented in the State's ELP standards.</p>	<p>TELPAS taps intended language processes</p> <ul style="list-style-type: none"> • Evidence 21: TELPAS Listening and Speaking Cognitive Lab Summary Report, pages 5–6 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 23–24 • Evidence 20: TELPAS Reading Data Review Training, slides 13, 16, and 17 • Evidence 04: Educator Guide to TELPAS, pages 3 and 9–1 	<p>No evidence has been provided that TELPAS taps into intended language processes. The cognitive lab summary report provided no analysis of linguistic processes. However, the full study may provide some of the evidence required for linguistic processes, but it was not provided.</p> <p>The Technical Digest made claims but provided no evidence. For example, "<i>Validity evidence... is gathered annually through educator and expert review and through analyses of student responses to the items during field testing.</i>" (p. 6-23) However, the Technical Digest states there is a process; there is no argument presented as to how these reviews related to the <i>linguistic processes</i> used by test takers, much less any data to support any such claims. The Reading Data Review slides show the psychometric properties of items, but not the relationship to linguistic processes (e.g., it doesn't seem like the intended targeted proficiency level nor the standards addressed are given to the data reviewers). Finally, the Educators Guide makes claims but provides no evidence.</p> <p>The state could provide some of the evidence that the USED guidance suggests:</p> <ul style="list-style-type: none"> -Results of cognitive labs exploring student performance on items that show for ELP assessments, the items require targeted demonstrations or applications of linguistic knowledge and skills -Reports of expert judgment of items that show for ELP assessments, the items require targeted demonstrations or applications of knowledge or skills -Empirical evidence that shows the relationships of items intended to require complex demonstrations or applications of knowledge and skills for ELP assessments, empirical evidence that shows the relationships of items intended to require complex demonstrations or
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 33

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		<i>applications of knowledge and skills to other measures that require similar levels of linguistic proficiency (e.g., teacher ratings of student language proficiency, student performance on performance tasks or external assessments of the same linguistic knowledge and skills).</i>
Section 3.2 Summary Statement		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none">• Documented adequate validity evidence that its assessments tap <i>the intended language processes</i> appropriate for each grade level/grade-band as represented in the State’s ELP standards.• The full report of the cognitive lab study should include:<ul style="list-style-type: none">○ Student responses to the interview questions○ How were the findings addressed		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 34

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 3.3 Validity Based on Internal Structure

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 35

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has documented adequate validity evidence that the scoring and reporting structures of its assessments are consistent with the sub-domain structures of the State’s <i>ELP standards</i> on which the intended interpretations and uses of results are based.</p>	<p>Consistency of scoring and reporting procedures to the ELP standards</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 13–16 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 17–20 and 23–25 • Evidence 62: TELPAS Standard Setting Report, pages 32–34 • Evidence 63: 2017–2018 Technical Digest, Appendix D, Table D.2.1, page 8 	<p>Based on Chapter 6 of the technical digest, the three listed uses and purposes are to:</p> <ul style="list-style-type: none"> • Meet ESSA requirements • Use the composite to determine student progress, • Help teachers design instruction TEA should provide evidence that the use of the assessment for these 3 purposes is valid. <p>While the TELPAS Standard Setting Report is very complete, and a lot of data is presented in Appendix D (including correlations between three of the four subtests of TELPAS), no validity argument is stated.</p> <p>Evidence 61, Chapter 3, discusses “Evidence Based on Internal Structure” solely in terms of internal consistency reliability estimates.</p> <p>Given the use of the overall composite, more evidence is needed on the interaction of the four subtests. Writing is not included in the correlations; nor is there any argument as to what the correlations between the four subtests should be in relationship to the state’s ELP standards.</p> <p>Consider exploring with TAC alternate ways to calculate the reliability of the composite. The discussion on the reliability of the composite in Evidence 61, Technical Digest, Chapter 3, pp. 6-18 to 6-20, was also confusing; it seems that each student’s performance on a subtest was converted to 1, 2, 3, or 4, yet data to compute the stratified coefficient alpha come from the internal consistency estimates based on raw scores for listening, reading and speaking. (See Evidence 5: pg 6.19. “The internal consistency values of listening, speaking, and reading on</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 36

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		<p>the categorical scale were estimated based on their internal consistency values on the continuous scale.”) The</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 37

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		<p>composite reliability estimates may be spuriously high.</p> <p>Additional evidence is needed on internal structures for reporting categories. Example: it would be appropriate to provide correlations among the reporting categories within a domain as well as a factor analysis of various reporting categories, although it is not clear how the reporting categories relate to the ELP standards.</p> <p>The state may provide some type of argumentation and could provide some of the evidence that the USED guidance suggests.</p>
<p>Section 3.3 Summary Statement</p>		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • TEA must provide adequate documentation for validity evidence that the scoring and reporting structures of its assessments are consistent with the subdomain structures of the State’s <i>ELP standards</i> on which the intended interpretations and uses of results are based such as: • Reports of analyses that show the dimensionality of the assessment is consistent with the structure of the State’s ELP standards and the intended interpretations of results 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 38

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 3.4 Validity Based on Relations to Other Variables

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 39

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has documented adequate validity evidence that the State's assessment scores are related as expected with other variables.</p>	<p>Relationship between ELP assessment scores and other variables</p> <ul style="list-style-type: none"> • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 25–29 • Evidence 62: TELPAS Standard Setting Report, pages 34–37 • Evidence 64: TELPAS Validity Evidence 	<p>The state submitted Evidence 05: Technical Digest, Chapter 6, pp. 25-28. The evidence shows a relationship between performances on the TELPAS and the state's Reading and Writing assessments. However, ultimately TELPAS has four components: Listening, Speaking, Reading and Writing, so focusing on relationships of only one or two domains, and not on all four domains and the composite, is insufficient.</p> <p>Evidence 62: TELPAS Standard Setting Report, page 34 states that there were specific validity studies showing more relationships between TELPAS and STAAR (though it's not clear whether that was again STAAR Reading only) that were shared in the "reasonableness review," these studies are apparently not included in the state's submission. Potentially, they could have been useful in support of Critical Element 3.4</p> <p>The state may provide some of the evidence that the USED guidance suggests:</p> <ul style="list-style-type: none"> -Reports of analyses that demonstrate convergent and divergent relationships between State ELP assessment results and other assessments that measure similar and different constructs, such as academic content assessments in reading/language arts and in other content areas -For ELP assessments, studies showing that the EL students who are proficient on the ELP assessment have English proficiency that allows them to acquire and demonstrate their achievement of knowledge and skills identified in the State's academic content standards appropriate to each grade-level/grade-band in at least reading/language arts, mathematics, and science. -For ELP assessments, evidence of coherence between the placement assessment and the summative assessment (e.g., the proficiency level of the student based on the initial
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 40

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		<i>identification assessment is coherent with the proficiency level of the summative test).</i>
Section 3.4 Summary Statement		
<input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:		
<ul style="list-style-type: none">• Evidence to document adequate validity evidence that the State’s assessment scores are related as expected with other variables, such as:<ul style="list-style-type: none">○ Reports of analyses that demonstrate convergent and divergent relationships between State ELP listening, speaking, and writing assessment results and other assessments that measure similar and different constructs, such as academic content assessments in reading/language arts and in other content areas○ Studies showing that the EL students who are proficient on the ELP assessment have English proficiency that allows them to acquire and demonstrate their achievement of knowledge and skills identified in the State’s academic content standards appropriate to each gradelevel/grade-band in at least reading/language arts, mathematics, and science, including teacher reports, grades, and students recently exited reclassified as Els.○ Evidence of coherence between the placement assessment and the summative assessment (e.g., the proficiency level of the student based on the initial identification assessment is coherent with the proficiency level of the summative test).		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 41

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

SECTION 4: TECHNICAL QUALITY – OTHER

Critical Element 4.1 – Reliability

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 42

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has documented adequate reliability evidence for its assessments for the following measures of reliability for the State’s student population overall and each student group consistent with nationally recognized professional and technical testing standards. If the State’s assessments are implemented in multiple States, measures of reliability for the assessment overall and each student group consistent with nationally recognized professional and technical testing standards, including:</p> <ul style="list-style-type: none"> • Test reliability of the State’s assessments estimated for its student population (<i>for ELP assessments, including any domain or component sub-tests, as applicable</i>); • 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; • For computer-adaptive tests, evidence that the assessments produce test forms with adequately precise estimates of <i>an EL’s English proficiency</i>. 	<p>Test Reliability</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 25–30 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 17–20 • Evidence 63: 2017–2018 Technical Digest, Appendix D, Tables D.4.1–D.4.30, pages 20–49 • Evidence 65: 2016 TELPAS Writing Audit Report, pages 9–1 <p>Overall and Conditional Standard Error of Measurement</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 27–28 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 18 • Evidence 63: 2017–2018 Technical Digest, Appendix D, Table D.1.1, page 5, Tables D.3.1–D.3.4, pages 11–16, and Tables D.4.1–D.4.30, pages 20–49 <p>Consistency and Accuracy of Estimates</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 28–30 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 18 • Evidence 63: 2017–2018 Technical Digest, Appendix D, Table D.1.1, page 5, Tables D.3.1–D.3.4, pages 11–16, and Tables D.4.1–D.4.30, pages 20–49 <p>Computer-adaptive assessments Not applicable</p>	<p>Test Reliability Evidence for test reliability for grades 2-12 was adequate. While the writing audit report was strong for grades 2-12, there was no evidence for the reliability of the ratings on all four domains for the K and grade 1 TELPAS. Test reliability for K and grade 1 is required.</p> <p>Overall and Conditional Standard Error of Measurement These statistics are only calculated for three of the four subtests that get scale scores; and not for the composite score, given the way Writing is handled as a single holistic rating.</p> <p>Consistency and Accuracy of Estimates Peers could not find information on how the classification accuracy was calculated. The classification accuracy seemed low.</p> <p>There was no classification consistency information provided.</p> <p>Classification accuracy was given only on three of four subscores; therefore, additional information is needed on the writing and composite score.</p>
<p>Critical Element</p>	<p>Evidence (Record document and page # for future reference)</p>	<p>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</p>
<p>Section 4.1 Summary Statement</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 43

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

X The following additional evidence is needed/provide brief rationale:

Evidence to document:

- Classification consistency formulas and statistics
 - Classification accuracy statistics for the overall composite score and a description of how these indices are calculated •
- The reliability of the K and grade 1 TELPAS ratings

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 44

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 4.2 – Fairness and Accessibility

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For all State ELP assessments, assessments should be developed, to the extent practicable, using the principles of universal design for learning (UDL) (see definition²).</i></p> <p><i>For ELP assessments, the State has taken reasonable and appropriate steps to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities, in their design, development, and analysis.</i></p>	<p>Assessments are developed using the principles of UDL</p> <ul style="list-style-type: none"> • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 2 and 5–7 • Evidence 15: TELPAS Reading Guidelines for Writers • Evidence 16: Guidelines for Ensuring Item Accessibility <p>Assessments are accessible to all ELs and are fair across student groups in design, development, and analysis</p> <ul style="list-style-type: none"> • Evidence 11: 2017–2018 Technical Digest, Chapter 2, pages 8–9 • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs • Evidence 24: 2018 Texas Accommodation Policy Documents 	<p>Assessments are developed using the principles of UDL. Evidence is sufficient.</p> <p>Assessments are accessible to all ELs and are fair across student groups in design, development, and analysis There is documentation on policy to make decisions about students and on accommodation policies.</p> <p>However, there is little evidence that State has taken reasonable and appropriate steps in the design, development, and analysis of the TELPAS to ensure that its assessments are accessible to all EL students and fair across student groups, including ELs with disabilities. Some of the documentation applies to all tests; from Evidence 06 TELPAS Manual, it seems that designated supports are available to all TELPAS test takers.</p> <p>Little evidence is provided about fairness in the analysis of test results. Example: DIF statistics examined gender and race ethnicity, but not presence of disability.</p>
<p>Section 4.2 Summary Statement</p>		
<p><u>X</u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Student group analyses of the items and overall test need to include disability status. • Evidence of bias and sensitivity reviews including processes and results. 		

² see page 28 of “A State’s Guide to the U.S. Department of Education’s Assessment Peer Review Process”, September 24, 2018 available at: www.ed.gov/admins/lead/account/saa.html

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 45

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 46

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

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Critical Element 4.3 Full Performance Continuum

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 47

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State has ensured that each assessment provides an adequately precise estimate of student performance across the full performance continuum for <i>ELP assessments</i>, including performance for EL students with high and low levels of English language proficiency and with different proficiency profiles across the domains of speaking, listening, reading, and writing.</p>	<p>Assessments provide a precise estimate of student performance across the continuum for ELP assessments • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 27–30</p> <ul style="list-style-type: none"> • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 18 • Evidence 63: 2017–2018 Technical Digest, Appendix D, Tables D.3.1–D.3.4, pages 11–16, Tables D.5.1–D.5.3, pages 56–58, and Figures D.5.1–D.5.33, pages 59–91 • Evidence 60: Breakdown of 2018 TELPAS Items by ELP Standard and Proficiency Level 	<p>Evidence 63: 2017–2018 Technical Digest, Appendix D, Tables D.3.1–D.3.4, pages 11–16, where the CSEM at scores along the proficiency continuum are given, and the cut scores are marked. For TELPAS, this data is only for Reading, Speaking and Listening. The tables show the CSEM at the cuts for Reading are approximately the same, but for Speaking and Listening, the CSEM at the cut between Advanced and Advanced High is much larger than at the other cuts. As you continue to work on item development it appears more items are needed at the higher end of the scale for speaking and listening.</p> <p>PLDs do vary by domain, although not much by grade levels. Item writing guidelines are also clear in writing items across the performance spectrum but judgmental and empirical validation is still needed. For example: Evidence 60: Breakdown of 2018 TELPAS Items by ELP Standard and Proficiency Level must be empirically validated for the categorical level.</p> <p>The state could strengthen this part of its submission by including some of the suggested examples from the USED guidance, such as:</p> <ul style="list-style-type: none"> -<i>Description of the distribution of linguistic (for ELP assessments) complexity and item difficulty indices that demonstrate the items included in each assessment adequately cover the full performance continuum specified in the State’s ELP standards</i> -<i>For tests based on Item Response Theory (IRT), analysis of test information functions (TIF) and ability estimates for each assessment and/or sub-test students at different performance levels across the full performance continuum or a pool information function across the full performance continuum</i>
		<p>Given how the Writing assessment is holistically scored, it would be hard to provide any evidence for that domain.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 48

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		There is no information for the K and grade 1 TELPAS.
Section 4.3 Summary Statement		
<input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none">• Evidence that the K and grade 1 TELPAS provide precise estimates across the full performance continuum.• Judgmental and empirical validation to show that the items included in each assessment adequately cover the full performance continuum specified in the State's ELP standards and PLDs.		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 49

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Critical Element 4.4 Scoring

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has established and documented standardized scoring procedures and protocols for its assessments (and <i>for ELP assessments, any applicable domain or component sub-tests</i>) that are designed to produce reliable and meaningful results, facilitate valid score interpretations, and report assessment results in terms of the State's <i>ELP standards</i>.</p> <p><i>For ELP assessments</i>, if an English learner has a disability that precludes assessment of the student in one or more of the required domains/components (listening, speaking, reading, and writing) such that there are no appropriate accommodations for the affected domain(s)/component(s), the State must provide a description of how it will ensure that the student is assessed in the remaining domain(s)/component(s) in which it is possible to assess the student, and a description of how this will occur.³</p>	<p>Scoring Procedures</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 16–18 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 4, 9–12, 15–16 • Evidence 11: 2017–2018 Technical Digest, Chapter 2, page 17 • Evidence 66: TELPAS Speaking Rubrics • Evidence 67: ELPS-TELPAS PLDs • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, pages 4–5 • Evidence 65: 2016 TELPAS Writing Audit Report, pages 9–10 <p>Participation rules for students with disabilities</p> <ul style="list-style-type: none"> • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, pages 1–3 • Evidence 26: 2018–2019 District and Campus Coordinator Resources, pages 243–245 • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, page 5 	<p>Scoring Procedures</p> <p>Scoring process seems thorough and audit report confirms reliability and accuracy of scoring. Evidence documented is adequate, though piecemeal.</p> <p>Participation rules for students with disabilities</p> <p>Evidence 07: Page 2 lists “Braille versions are not available due to the critical role of visual images in the assessment of English language proficiency. Exceptions include • students who need an assessment in braille (Braille versions are not available due to the critical role of visual images in the assessment of English language proficiency.), • students who need a signed administration of the assessment.” It is not clear why you would exclude certain categories of disability from the TELPAS.</p> <p>Admission, Review, and Dismissal (ARD) Decision</p> <p>Special administrations of the TELPAS online. Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, page 5 has a simple statement “<i>For a small subset of ELs with disabilities who cannot be assess in all four domains, students with results for at least two domains will receive a composite score.</i>” However, an explanation of how this is done is not provided.</p>
<p>Section 4.4 Summary Statement</p>		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evidence for participation and scoring for students who are blind and deaf/hard of hearing. • Description of how TEA calculates a composite score when fewer than four domains are assessed. 		

³ See full reference in regulation, 34 CFR § 200.6(h)(4)(ii) (online at https://www.ecfr.gov/cgi-bin/textidx?SID=07e168e9e7a6c5931b4549cc15547ee9&mc=true&node=se34.1.200_16&rgn=div8)

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 50

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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 51

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Critical Element 4.5 Multiple Assessment Forms

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>If the State administers multiple forms of <i>ELP assessments</i> within or across gradespans, ELP levels, or school years, the State ensures that all forms adequately represent the State's <i>ELP standards</i> and yield consistent score interpretations such that the forms are comparable within and across settings.</p>	<p>Equating procedures</p> <ul style="list-style-type: none"> • Evidence 61: 2017–2018 Technical Digest, Chapter 3, pages 20–25 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, pages 16–17 	<p>Same base test is used on all forms, so equating across forms is only needed for FT items. Operational forms are pre-equated.</p> <p>No information on equating Braille forms of reading, or PBT to CBT.</p> <p>No data on equating is presented for the TELPAS first year of administration. The state may consider USED guidance for next year, such as:</p> <ul style="list-style-type: none"> -documentation of technically sound equating procedures and results within an academic year as applicable, such as a section of a technical report for the assessments that provides detailed technical information on the method used to establish linkages and on the accuracy of equating functions; -as applicable, documentation of year-to-year equating procedures and results, such as a section of a technical report for the assessments that provides detailed technical information on the method used to establish linkages and on the accuracy of equating functions.
<p>Section 4.5 Summary Statement</p>		
<p><input checked="" type="checkbox"/> X No additional evidence is required</p>		

Critical Element 4.6 Multiple Versions of an Assessment

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 52

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>If the State administers any of its assessments in multiple versions within a subject area (e.g., online versus paperbased delivery), grade level, or school year, the State:</p> <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. 	<p>Comparability of online and paper assessments</p> <ul style="list-style-type: none"> • Evidence 09: TELPAS Test Construction Guides, pages 1–2 <p>Comparability of different devices</p> <ul style="list-style-type: none"> • Evidence 69: Device Comparability of Tablets and Computers for Assessment Purposes, pages 20–22 • Evidence 70: Device Comparability: Score Range and Subgroup Analyses, pages 12–14 • Evidence 71: Spring 2015 Digital Devices Comparability Research Study, pages 44–46 	<p>Study on device comparability for other subjects but nothing specific to ELPA or comparing CBT to PBT. No evidence on the comparability in second grade provided. There was no evidence provided for speaking and listening across devices.</p> <p>Comparability of online and paper assessments</p> <p>Information was only given for the reading component; no information was provided on speaking or listening. For reading, it wasn't clear to me whether the "paper assessment" was a "paperized version" of the online assessment, or were unique items, especially since pictures needed to be clear in greyscale and the technology enhanced items became MC items. No data is given to demonstrate comparability of the two forms.</p> <p>There is also no evidence of the equivalency of those students in grades 2-12 who need to receive the holistic ratings (i.e., who cannot take the online test) and those who take the online version as an accommodation. These may be considered alternate versions of the assessment. A research study comparing ratings of students by that protocol and their performances on the online test would be helpful. This is a particular concern since ELP levels awarded on the new Speaking and Listening online test were much lower than in the former system (see Evidence 64: TELPAS Validity Evidence) and now those two domains make up 50% of the composite score.</p>
<p>Section 4.6 Summary Statement</p>		
<p><input checked="" type="checkbox"/> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Specific design issues when going from online to PBT for ELP testing and how they were addressed • Comparability study of PBT and CBT forms, particularly Braille form for reading. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 53

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 4.7 Technical Analysis and Ongoing Maintenance

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 54

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State:</p> <ul style="list-style-type: none"> • 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 all of the assessments in its assessment system (i.e., general assessments and alternate assessments), and • Evidence of adequate technical quality is made public, including on the State's website. 	<p>Monitoring and Improving Quality of the TELPAS •</p> <p>Evidence 72: TTAC Meeting Notes excerpts</p> <ul style="list-style-type: none"> • Evidence 65: 2016 TELPAS Writing Audit Report, pages 9–10 <p>Technical reports available to the public</p> <ul style="list-style-type: none"> • Evidence 73: TEA Assessment Reports and Studies 	<p>Summary technical reports are available to public, including on the State's website. Three technical reports in addition to the summary technical digests, related to the ELP assessments appeared to be publicly available (one was quite dated, though). There seems to be no single indepth technical report on the state's ELP assessment system, which would be helpful.</p> <p>Overall, however, the state has provided minimal evidence that the State has established and implemented clear and technically sound criteria for analyses of its ELP assessment system. The evidence does not seem to address piece on "including clear and technically sound criteria for the analyses of all of the assessments in its assessment system"</p> <p>It is encouraging to know the Texas TTAC has been looking at issues involved in the states ELP standards and assessments; most issues seem to be related to this peer review. TTAC notes are suggestions; nothing on what follow up was done or which suggestions were taken.</p> <p>The state may consider recommendations from the USED guidance, such as:</p> <ul style="list-style-type: none"> -sections from the State's assessment contract that specify the State's expectations for analyses to provide evidence of validity, reliability, and fairness; for independent studies of alignment and comparability, as appropriate; and for requirements for technical reports for the assessments and the content of such reports applicable to each administration of the assessment -evidence that the State has established and implemented clear criteria for the analysis of its assessment system (see above) -outline of a deliberate cycle for reviewing and updating
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 55

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

		<i>the State's ELP standards and assessments</i>
Section 4.7 Summary Statement		
<u>X</u> The following additional evidence is needed/provide brief rationale: <ul style="list-style-type: none">Evidence 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 TELPAS		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 56

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

SECTION 5: INCLUSION OF ALL STUDENTS

Critical Element 5.1 – Procedures for Including Students with Disabilities

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State has in place procedures to ensure the inclusion of all public elementary and secondary school students⁴ with disabilities in the State’s assessment system. Decisions about how to assess students with disabilities must be made by a student’s IEP Team under IDEA, 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.</p> <ul style="list-style-type: none"> • <i>For ELP assessments</i>, policies that require the inclusion of an EL with a disability that precludes assessment of the student in one or more of the required domains (speaking, listening, reading, and writing) such that there are no appropriate accommodations for the affected component (the State must assess the student’s English language proficiency based on the remaining components in which it is possible to assess the student). 	<p>Procedures to ensure the inclusion of all students with disabilities</p> <ul style="list-style-type: none"> • Evidence 03: Texas Administrative Code §101.1003(b)(c) • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, pages 1–3 • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 2–3 <p>Requirements for assessing ELs with disabilities who cannot be assessed in all four domains</p> <ul style="list-style-type: none"> • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, pages 1–3 • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 2–3 • Evidence 37: 2018–2019 Testing Coordinator Training, slides 111–115 	<p>PBT for reading, holistic approach for speaking/listening is available for students with disabilities as determined by the ARD team.</p> <p>There are several examples in the documentation where students are not included in the TELPAS administration. For example, exclusions based on disability in the TELPAS Reading in Grades 2–12 is listed as: “An exception would be students who need an assessment in braille. Braille versions are not available due to the critical role of visual images in the assessment of English language proficiency.”</p> <p>TELPAS listening and speaking tests for grades 2–12 Exceptions include</p> <ul style="list-style-type: none"> ▪ students who need an assessment in braille (Braille versions are not available due to the critical role of visual images in the assessment of English language proficiency.), ▪ students who need a signed administration of the assessment, ▪ students unable to communicate verbally because of a significant cognitive disability, and/or ▪ students who have impaired or no hearing due to a disability.

⁴ For ELP peer review, this refers to ELs with disabilities.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 57

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Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 5.1 Summary Statement		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Provide clarification on the policy/practice related to the exception of students who need an assessment in braille, students who need a signed administration of the assessment, and/or students who have impaired or no hearing due to a disability for the TELPAS 2-12. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 58

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 5.2 – DOES NOT APPLY to ELP Assessment Peer Review

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<ul style="list-style-type: none"> Note: This critical element does not apply to ELP assessments, as the requirements only apply to the inclusion of ELs in <u>academic assessments</u>. 	Does Not Apply	
Section 5.2 Summary Statement		
N/A		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 59

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 5.3 – Accommodations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State makes available appropriate accommodations and ensures that its assessments are accessible to students with disabilities and ELs, including ELs with disabilities. Specifically, the State:</p> <ul style="list-style-type: none"> • Ensures that appropriate accommodations are available for ELs; • Has determined that the accommodations it provides (1) are appropriate and effective for meeting the individual student’s need(s) to participate in the assessments, (2) do not alter the construct being assessed, and (3) 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; • Has a process to individually review and allow exceptional requests for a small number of students who require accommodations beyond those routinely allowed. • Ensures that accommodations for all required assessments do not deny students with disabilities or ELs the opportunity to participate in the assessment and any benefits from participation in the assessment. 	<p>Accommodations Available to ELs</p> <ul style="list-style-type: none"> • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, page 2– 3 • Evidence 24: 2018 Texas Accommodation Policy Documents <p>Appropriate and effective accommodations that do not alter the construct, and allow meaningful interpretations of scores</p> <ul style="list-style-type: none"> • Evidence 74: Score Comparability Across Computerized Assessment Delivery Devices, pages 6–7 • Evidence 75: Are Test Accommodations for English Language Learners Fair (abstract only) • Evidence 76: TestNav Tools and Accessibility Tools • Evidence 77: Technology Guidelines • Evidence 78: TELPAS Accommodation Use Data Set from 2018 <p>Exceptional requests</p> <ul style="list-style-type: none"> • Evidence 24: 2018 Texas Accommodation Policy Documents, 19–20 • Evidence 79: 2018 Accommodation Request Process • Evidence 80: Request for a Special Administration of an Online Assessment • Evidence 37: 2018–2019 Testing Coordinator Training, slides 114–115 	<p>Accommodations Available to ELs</p> <p>Evidence here seems sufficient. There were limited accommodations (transcribing, large print, spelling, manipulation of test, extra time), but the administration seems clear.</p> <p>Appropriate and effective accommodations that do not alter the construct, and allow meaningful interpretations of scores</p> <p>Frequency tables would be easier to read if accommodations were spelled out. There was no key to deciphering Evidence 78: TELPAS Accommodation Use Data Set from 2018, but that evidence seemed to be a count of the use of certain accommodations. Perhaps a clearer explanation of Evidence 78 might be helpful in improving the strength of the evidence here.</p> <p>Because the major accommodation allows a holistic rating, rather than online version, evidence needs to be provided to show this administration does not alter the construct being assessed and allows for meaningful and comparable score results.</p> <p>Exceptional requests</p> <p>Evidence that rare exceptional requests can be handled is sufficient.</p> <p>Accommodations do not deny students participation and benefits from assessment</p> <p>Evidence here seems sufficient.</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 60

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

	<p>Accommodations do not deny students participation and benefits from assessment</p> <ul style="list-style-type: none"> • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs, pages 1–3 • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 2–3 • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, pages 4–5 	
<p>Critical Element</p>	<p>Evidence (Record document and page # for future reference)</p>	<p>Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence</p>
<p>Section 5.3 Summary Statement</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 61

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

The following additional evidence is needed/provide brief rationale:

- The state has not provided evidence that the holistic administration of the test does not alter the construct being assessed, or 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.

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 62

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 5.4 – Monitoring Test Administration for Special Populations

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>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:</p> <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 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; • Administered with fidelity to test administration procedures; • Monitored for administrations of all required ELP assessments, and AELPA. 	<p>Accommodations are consistent with state policy and are appropriate and consistent with decisions made by a team of educators designated to make such determinations</p> <ul style="list-style-type: none"> • Evidence 24: 2018 Texas Accommodation Policy Documents <p>Assessments and accommodations are appropriate and consistent with decisions made by team of educators designated to make such determinations</p> <ul style="list-style-type: none"> • Evidence 24: 2018 Texas Accommodation Policy Documents • Evidence 81: LPAC Training Presentation, slides 16–17 • Evidence 07: 2019 TELPAS Decision-Making Guide for LPACs • Evidence 03: Texas Administrative Code §101.1003(b)(c) <p>Assessments are administered with fidelity</p> <ul style="list-style-type: none"> • Evidence 26: 2018–2019 District and Campus Coordinator Resources, pages 33, 36, and 37 • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 13–17 • Evidence 29: 2018 TELPAS Training Updates • Evidence 30: Test Security Oaths <p>Assessments are monitored</p> <ul style="list-style-type: none"> • Evidence 26: 2018–2019 District and Campus Coordinator Resources, pages 231 and 233–238 	<p>Accommodations are consistent with state policy and are appropriate and consistent with decisions made by a team of educators designated to make such determinations</p> <p>Evidence seems sufficient. Accommodations policy seems consistent and appropriate.</p> <p>Assessments and accommodations are appropriate and consistent with decisions made by team of educators designated to make such determinations</p> <p>Evidence seems sufficient. The accommodations manual puts all of the assessments together and indicates which accommodations are appropriate for each assessment.</p> <p>Assessments are administered with fidelity</p> <p>Evidence seems sufficient. The training documents, rater training procedures, qualifications, and procedures for monitoring for drift seem sufficient.</p> <p>Assessments are monitored</p> <p>Investigation of irregularities flow chart was helpful.</p> <p>During test administration, no evidence of state level monitoring is provided. After test administration, it appears that any flags go to the state, but then districts are responsible for investigations. Therefore, if there are any issues at the district level, it may be difficult to remediate the situation.</p> <p>Evidence 39-40-41-42-43-44: The evidence does not provide any specifics on the verification of accommodations during test administration. A summary of results of monitoring for the most recent year of test</p>

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 63

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	<ul style="list-style-type: none"> • Evidence 06: 2019 TELPAS Manual for Raters and Test Administrators, pages 48–49 • Evidence 34: Online Test Administrator Training Modules • Evidence 35: 2018 Test Security Supplement, pages 	<p>administration in the State is needed as verification of the monitoring process.</p>
Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 64

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	<p>16–18, 23–25, and 38</p> <ul style="list-style-type: none"> • Evidence 36: Investigation of Testing Irregularities Flowchart • Evidence 37: 2018–2019 Testing Coordinator Training, slides 29–38 • Evidence 38: 2018 Student Assessment Data Validation Manual, pages 3–5 and 22 • Evidence 39: 2018 Performance-Based Monitoring Analysis System (PBMAS) Manual excerpts, pages 3, 4, 16, 28, and 29 • Evidence 40: Data Validation Monitoring Leaver Records Staging Letter • Evidence 41: Data Validation, Student Assessment Tiered Intervention Structure • Evidence 42: Division Coordination for Student Assessment Monitoring • Evidence 43: Bilingual Education/English as a Second Language (BE/ESL) Monitoring System, page 4–6, 8, 10, 17, and 18 • Evidence 44: On-Site Review Procedures Manual, page 1 • Evidence 45: Texas Education Code §39.056(a), (b), and (g) and §39.057(a)(1),(2), and (8) 	
<p>Section 5.4 Summary Statement</p>		
<p><input checked="" type="checkbox"/> X The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evidence that the state monitors accommodations use during administrations of all required ELP assessments, such as a summary of results of monitoring for the most recent year of test administration as verification. 		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 65

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

SECTION 6: ELP ACHIEVEMENT STANDARDS AND REPORTING

Critical Element 6.1 – State Adoption of ELP Achievement Standards for All Students

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For ELP standards:</i></p> <ul style="list-style-type: none"> • The State adopted ELP achievement standards that address the different proficiency levels of ELs; • If the State has developed alternate ELP achievement standards, it has adopted them only for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with appropriate accommodations. 	<p>State adopted ELP achievement standards address different proficiency levels</p> <ul style="list-style-type: none"> • Evidence 82: TELPAS Standards Setting Listening and Speaking Commissioner Letter • Evidence 83: TELPAS Standards Setting Reading Commissioner Letter • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 13–14 • Evidence 67: ELPS-TELPAS PLDs <p>State-adopted alternate ELP achievement standards Not applicable</p>	<p>Evidence is sufficient. There is evidence of strong PLDs which clearly differentiate among four levels; however, the PLDs are not grade specific.</p>
<p>Section 6.1 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 66

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Critical Element 6.2 ELP Achievement Standards Setting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p>The State used a technically sound method and process that involved panelists with appropriate experience and expertise for setting:</p> <ul style="list-style-type: none"> • <i>ELP achievement standards and, as applicable, alternate ELP achievement standards</i>, such that: <ul style="list-style-type: none"> ○ Cut scores are developed for every grade/grade band, content domain/language domain, and/or composite for which proficiency level scores are reported. 	<p>Standard Setting Method and Process</p> <ul style="list-style-type: none"> • Evidence 62: TELPAS Standard Setting Report, pages 6, 12–14, 17–27, 38, and 69–79 	<p>Standard setting process appeared strong. Since writing levels were determined by raters, classification consistency of writing compared to other three domains would be good additional validity evidence.</p>
<p>Section 6.2 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 67

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element 6.3 Aligned ELP Achievement Standards

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
<p><i>For ELP achievement standards:</i> The State has ensured that ELP assessment results are expressed in terms that are clearly aligned with the State’s ELP standards, and its ELP performance level descriptors.</p> <p>If the State has adopted alternate ELP achievement standards for ELs who are students with the most significant cognitive disabilities, the alternate ELP achievement standards should be linked to the State’s grade-level/grade-band ELP standards, and should reflect professional judgment of the highest ELP achievement standards possible for ELs who are students with the most significant cognitive disabilities.</p>	<p>Test results aligned with ELP Standards</p> <ul style="list-style-type: none"> • Evidence 62: TELPAS Standard Setting Report, pages 4–5, 7–8, 18–20, and 32–34 • Evidence 05: 2017–2018 Technical Digest, Chapter 6, page 13–14 • Evidence 67: ELPS-TELPAS PLDs <p>State-adopted alternate ELP achievement standards Not applicable</p>	<p>Evidence is sufficient.</p>
<p>Section 6.3 Summary Statement</p>		
<p><input checked="" type="checkbox"/> No additional evidence is required</p>		

Critical Element 6.4 Reporting

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 68

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

<p>The State reports its assessment results for all students assessed, and the reporting facilitates timely, appropriate, credible, and defensible interpretations and uses of those results by parents, educators, State officials, policymakers and other stakeholders, and the public.</p> <p>The State reports to the public its assessment results on <i>English language proficiency for all ELs including the number and percentage of ELs attaining ELP</i>.</p> <p>For the <i>ELP assessment</i>, the State provides coherent and timely information about each student’s attainment of the State’s ELP standards to parents that:</p> <ul style="list-style-type: none"> • Reports the <i>ELs’ English proficiency</i> in terms of the State’s grade level/grade-band ELP standards (including performance-level descriptors); • Are provided in an understandable and uniform format; • 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; 	<p>TELPAS Reporting</p> <ul style="list-style-type: none"> • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, pages 5–26 • Evidence 25: 2018 Texas Assessment Calendar of Events • Evidence 27: 2018 Assessment Management System User’s Guide, pages 54–56 • Evidence 84: 2018 TELPAS Statewide Summary Report <p>Report showing ELP progress and attainment</p> <ul style="list-style-type: none"> • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, pages 2-5 • Evidence 84: 2018 TELPAS Statewide Summary Report <p>TELPAS reports to parents</p> <ul style="list-style-type: none"> • Evidence 85: TELPAS Student Report Cards • Evidence 68: 2018 Interpreting Assessment Reports, Chapter 5, pages 7–12 • Evidence 86: Texas Assessment Student Portal User’s Guide, pages 7–8 and 23–25 • Evidence 87: TELPAS FAQs for Parents 	<p>TELPAS Reporting</p> <p>There are clear reports with performance level overall and by domain, plus graphics to show where on the performance scale student falls. Subscores are reported in terms of points earned out of points available. Other than Spanish, it is not clear if the report is available in other languages.</p> <p>The interpretation guide is good but it is not clear if the guide is available in other languages.</p> <p>Report showing ELP progress and attainment Since new tests and cuts have been introduced and weightings for the overall composite score are new, there is no data on ELP progress for this review.</p> <p>TELPAS reports to parents Evidence is sufficient, but it is not clear if there is availability of alternate formats, upon request, by a parent who is an individual with a disability as defined by the ADA, or speaks a language other than English or Spanish.</p>
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Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 69

STATE ASSESSMENT PEER REVIEW NOTES FOR TEXAS

Critical Element	Evidence (Record document and page # for future reference)	Comments/Notes/Questions/Suggestions Regarding State Documentation or Evidence
Section 6.4 Summary Statement		
<p><u> X </u> The following additional evidence is needed/provide brief rationale:</p> <ul style="list-style-type: none"> • Evidence on information on how resources are provided to parents who are speakers of languages other than English or have disabilities under ADA. 		

SECTION 7: DOES NOT APPLY TO ELP ASSESSMENT PEER REVIEW

Consistent with the note on page 1, the evidence requested by the peer reviewers does not necessarily reflect the final set of additional evidence, if any, that a State may need to submit to demonstrate that its assessment system meets all of the critical elements for the assessment peer review. As a result, a State should refer to the letter to the State, including the list of additional evidence needed, if any, from the Department. 70

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