



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 30 2018

The Honorable Mary Stadick Smith
Secretary of Education
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

Dear Secretary Smith:

Thank you for your participation in the U.S. Department of Education's (the Department) assessment peer review process under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), which governed State assessments through the 2016-2017 school year. The Every Student Succeeds Act (ESSA), which governs State assessments beginning in the 2017-2018 school year, maintains the essential requirements from NCLB that each State annually administer high-quality assessments in at least reading/language arts, mathematics and science that meet nationally recognized professional and technical standards with a few additional requirements. I appreciate the efforts of the South Dakota Department of Education (SD DOE) to prepare for the review, which occurred in February 2018.

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

External peer reviewers and Department staff carefully evaluated SD DOE's submission and the Department found, based on the evidence received, that the general assessments for reading/language arts and mathematics in grades 3-8 and high school (Smarter Balanced) meet all of the statutory and regulatory requirements of section 1111(b)(1) and (3) of the ESEA, as amended by NCLB and ESSA.

Congratulations on meeting these important ESEA requirements; an assessment system that produces valid and reliable results is fundamental to a State's accountability system. Assessments that produce valid and reliable results are fundamental to a State's accountability system.

In regard to the other assessments that SD DOE submitted for the February 2018 peer review, peer reviewers and the Department found, based on the evidence received, that the components of SD DOE's assessment system meet most, but not all of the statutory and regulatory requirements of section

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1111(b)(1) and (3) of the ESEA, as amended by NCLB. Based on the recommendations from this peer review and the Department's analysis of the State's submission, I have determined the following:

- Reading/ language arts and mathematics general assessments in grades 3-8 (Smarter Balanced): **Meets requirements of ESEA, as amended by NCLB and ESSA.**
- Reading/ language arts and mathematics general assessments in high school (Smarter Balanced): **Meets requirements of ESEA, as amended by NCLB and ESSA.**
- Reading/ language arts and mathematics alternate assessment based on alternate academic achievement standards (National Center and State Collaborative/Multi-State Alternate Assessment (NCSC/MSAA)) in grades 3-8 and high school: **Substantially meets requirements of ESEA, as amended by NCLB and ESSA.**

The components that substantially meet requirements meet most of the requirements of the statute and regulations but some additional information is required. The Department expects that SD DOE should be able to provide this additional information within one year.

Please note that the assessment requirements for ESEA, as amended by the NCLB, were in effect through the end of the 2016-2017 school year. The SD DOE peer review was conducted under the requirements of this statute. Beginning in the 2017-2018 school year, the assessment requirements of the ESEA, as amended by the ESSA, will apply to State assessments. Department staff carefully reviewed the evidence and peer review recommendations in light of the updated requirements for State assessments under the ESEA, as amended by the ESSA. As a result of this additional review, I have determined that the SD DOE administration of the MSAA assessments needs to meet one additional requirement related to alternate academic achievement standards. This requirement is listed under critical element 6.3. Under the orderly transition authority in section 4(b) of the ESSA, I am granting SD DOE until December 15, 2020, to submit evidence of an alternate assessments based on alternate academic achievement standards that meets this ESSA requirement.

The specific list of items required for SD DOE to submit is enclosed with this letter. Because the State has not fully satisfied the condition placed on the State's Title I, Part A grant award related to its State assessment system, the Department is continuing to place a condition on the State's Title I grant award related to those components of the assessment system. To satisfy this condition, SD DOE must submit satisfactory evidence to address the items identified in the enclosed list. SD DOE must provide to the Department a plan and timeline by which it will submit the additional documentation within 30 days of the receipt of this letter. 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. Insufficient progress to address such matters may lead OSERS to place a condition on SDDOE's Federal fiscal year 2017 IDEA Part B grant award.

In addition, the full peer review notes from the review are enclosed. These recommendations to the Department formed the basis of our determination. Please note that the peers' recommendations may differ from the Department's feedback; we encourage you to read the full peer notes for additional suggestions and recommendations for improving your assessment system beyond what is noted in the Department's feedback.

Please be aware that approval of SD DOE's administration of Smarter Balanced is not a determination that the system complies with Federal civil rights requirements, including Title VI of the Civil Rights Act of

1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act and requirements under the IDEA. Also, please remember that, if SD DOE makes significant changes in its assessments, the State must submit information about those changes to the Department for review and approval.

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: OSS.SouthDakota@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank T. Brogan". The signature is fluid and cursive, with a large initial "F" and "B".

Frank T. Brogan
Assistant Secretary for
Elementary and Secondary Education

Enclosures

cc: Ann Larsen, Director of the Division of Assessment and Accountability

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

Critical Element	Additional Evidence Needed
<p>2.3 – Test Administration</p>	<p>For the Multi-State Alternate Assessment (MSAA):</p> <ul style="list-style-type: none"> • Evidence that State established and communicates to educators clear, thorough, and consistent standardized procedures for the administration of the MSAA assessments that include evidence of a policy that students have the opportunity to practice and become familiar with computer administration in writing (including the assessment delivery devices, accessibility tools and features available for students, and item formats) prior to testing.
<p>3.3 – Validity Based on Internal Structure</p>	<p>For the MSAA:</p> <ul style="list-style-type: none"> • Provide evidence that item response theory assumptions of test unidimensionality are met.
<p>4.1 – Reliability</p>	<p>For the MSAA:</p> <ul style="list-style-type: none"> • When MSAA implements constructed response operational writing items, appropriate studies must be conducted to determine reliability.
<p>4.4 – Scoring</p>	<p>For the MSAA:</p> <ul style="list-style-type: none"> • Evidence of documented standardized scoring procedures and protocols designed to produce reliable results and facilitate score interpretations for constructed-response items in reading/language arts and mathematics and also operational writing items. Specifically: <ul style="list-style-type: none"> ○ Adequate procedures and criteria for ensuring and documenting inter-rater reliability; and ○ Clear scoring rubrics, comprehensive instructions for raters, adequate training of raters, and evaluation of inter-rater reliability.
<p>6.3 – Challenging and Aligned Academic Achievement Standards (additional requirement under section 1111(b)(1)(E) of the ESEA, as amended by the ESSA)</p>	<p>For the MSAA:</p> <ul style="list-style-type: none"> • Evidence that the alternate academic achievement standards (AAAS) ensure that students are on track to pursue postsecondary education or employment, as specified in section 1111(b)(1)(E) of the ESEA, as amended by the ESSA. The State educational agency should provide this evidence by December 15, 2020.
<p>6.4 – Reporting</p>	<p>For the MSAA:</p> <ul style="list-style-type: none"> • Evidence of a process and timeline for delivering individual student reports to parents, teachers, and principals as soon as practicable after each test administration