



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 15 2009

The Honorable June St. Clair Atkinson  
Superintendent of Public Instruction  
North Carolina Department of Public Instruction  
NC Education Building  
6301 Mail Service Center  
Raleigh, North Carolina 27699-6301

Dear Superintendent Atkinson:

Thank you for submitting North Carolina's assessment materials for peer review under the standards and assessment requirements of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB).

In a June 29, 2006 letter, the U.S. Department of Education (Department) designated North Carolina's standards and assessment system Full Approval with Recommendations. Since then, North Carolina has developed and implemented a new generation of assessments and academic achievement standards in reading, mathematics and science as well as new alternate assessments based on alternate academic achievement standards and modified academic achievement standards.

In March 2008, outside peer reviewers and Department staff evaluated the evidence that North Carolina submitted regarding the mathematics End-of-Grade (EOG) and End-of-Course (EOC) assessments, the revised English I EOC test, and the corresponding NCEXTEND1, an alternate assessment based on alternate academic achievement standards. In addition, North Carolina, along with six other States, submitted evidence for peer review of an alternate assessment based on modified academic achievement standards (AA-MAAS) authorized under 34 C.F.R. §§ 200.1(e) and 200.6(a)(3). The evidence regarding North Carolina's AA-MAAS, the NCEXTEND2, was also peer reviewed in March and feedback regarding the NCEXTEND2 was provided to North Carolina staff at a meeting in Washington, D.C. in May 2008. In October 2008, peer reviewers and Department staff evaluated the evidence that North Carolina submitted regarding the State's reading EOG tests and the science EOG and EOC tests, as well as additional evidence related to the NCEXTEND1 and NCEXTEND2 tests. This letter addresses the results of both the March and October reviews.

In general, the evidence provided regarding North Carolina's mathematics EOG and EOC assessments is satisfactory. We also find that, with a few exceptions, North Carolina's science EOG and EOC assessments are well documented. Additional information is required in some areas regarding the EOG and EOC reading assessments, the NCEXTEND1, and the NCEXTEND2. In addition, because North Carolina documented

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for peer review the recent increase in rigor of the achievement standards in reading and mathematics for all grades tested, a corresponding change in the North Carolina Checklist of Academic Standards (NCCLAS) is also required. Therefore, North Carolina must provide evidence that the NCCLAS, an alternate assessment based on grade-level achievement standards, is comparable in content and achievement expectations to the corresponding EOG and EOC assessments in all grades and subjects, and that it meets all statutory and regulatory requirements for academic achievement standards, technical quality, alignment, and reporting.

Regarding the NCEXTEND2, the materials submitted for peer review suggest that the NCEXTEND2 assessments in grades 3 through 8 are aligned with North Carolina's Standard Course of Studies for those grades, thus providing access to the general curriculum for students with disabilities who are eligible for the NCEXTEND2 EOG assessments. We have very serious concerns, however, regarding the NCEXTEND2 as implemented at the high school level. The evidence submitted by North Carolina indicates that the NCEXTEND2 Occupational Course of Studies (OCS) tests in reading, mathematics, science, and writing do not meet most of the regulatory requirements of 34 C.F.R. §§ 200.1 and 200.6. Specifically, we have concerns with all of the OCS tests regarding student eligibility, technical quality, standard setting, alignment, and reporting. Most significantly, the OCS tests appear to emphasize functional skills and clearly are not aligned with the Standard Course of Studies for high school students. In fact, a comparison of the test blueprints for the OCS math test and the grade five NCEXTEND2 EOC tests shows that the academic content tested at grade five is far more rigorous than the content tested in high school.

The enclosure to this letter lists all the additional evidence needed for North Carolina to demonstrate that its standards and assessments meet all applicable statutory and regulatory requirements. I encourage you to submit all available evidence for the next scheduled peer review from March 23 through 27, 2009.

Because North Carolina's evidence does not confirm that North Carolina's standards and assessment system currently meets the NCLB requirements, the status of North Carolina's standards and assessment system is now ***Approval Pending***. Accordingly, North Carolina is placed on Mandatory Oversight, as authorized by 34 C.F.R. § 80.12, and a condition will be placed on the fiscal year 2009 North Carolina Title I, Part A grant award. North Carolina may request reconsideration of its Mandatory Oversight status by submitting in writing, within 10 days of receipt of this letter, a detailed discussion setting forth the basis for its belief that this designation is improper, including the specific facts that support its position. Depending on the outcome of the March review of North Carolina's evidence, additional consequences may be applied, such as creation of a Memorandum of Agreement with the Department that demonstrates North Carolina's commitment and investment of resources necessary to address all outstanding issues with its standards and assessment system; progress will be verified through quarterly reports from the State. Following the March peer review, the Department will determine whether to extend the flexibility options currently approved for North Carolina beyond the 2008-09 school year.

Please note that, although the Department has significant concerns regarding the NCEXTEND2 high school assessments, a State's AA-MAAS does not at this time factor into the status assigned to its standards and assessment system as described in my January 8, 2009 letter (<http://www.ed.gov/admins/lead/account/statesystems.pdf>). Rather, North Carolina's *Approval Pending* status is dictated by the need for additional evidence regarding the State's general assessments for reading and science, the NCCLAS, and the NCEXTEND1.

However, due to the significance of the concerns regarding the OCS tests in reading, mathematics, science, and writing at the high school level, North Carolina may no longer include results from those tests in adequate yearly progress (AYP) determinations. For the OCS tests administered in 2008-09, North Carolina must either count students taking those tests as non-participants or offer the students the opportunity to take the EOC reading and writing, EOC Algebra I, and EOC Biology tests, count them as participants, and include their test results on those general assessments in determining AYP.

I appreciate the steps North Carolina has taken to increase the rigor of its standards and assessment system overall, and I know you are anxious to regain full approval. We are committed to helping you get there and remain available to provide technical assistance. If you have any questions or would like to discuss this further, please do not hesitate to contact Sue Rigney ([Sue.Rigney@ed.gov](mailto:Sue.Rigney@ed.gov)) of my staff.

Sincerely,



Kerri L. Briggs, Ph.D.  
Assistant Secretary

Cc: Governor Beverly Perdue  
Lou Fabrizio  
Tammy Howard

## **SUMMARY OF ADDITIONAL EVIDENCE THAT NORTH CAROLINA MUST SUBMIT TO MEET ESEA REQUIREMENTS FOR NORTH CAROLINA'S STANDARDS AND ASSESSMENT SYSTEM**

### **2.0 - ACADEMIC ACHIEVEMENT STANDARDS**

For the NCCLAS:

- Full documentation for all grades tested in reading, mathematics and science sufficient to address all relevant questions in the *Peer Review Guidance*.

For the NCEXTEND1 (reading, math and science):

- A final report with detailed description of standard setting (summer 2009) procedures and characteristics of the standard-setting panel(s).
- Final Achievement Level Descriptors that are subject- and grade-specific.

For the NCEXTEND2:

- Evidence that communicates to parents and members of IEP teams how achievement levels on NCEXTEND2 differ from those on the general tests.
- A final NCEXTEND2 Technical Report (without factual errors) that includes a detailed description of standard-setting for the AA-MAAS EOG and EOC tests, a description of the training provided to the participants, the qualifications of judges and how they were selected, and the materials and activities used to establish the AA-MAAS.
- Clearly defined eligibility criteria for participation in the EOC NCEXTEND2.

### **3.0 – FULL ASSESSMENT SYSTEM**

- Data demonstrating clearly that the multiple EOG reading test forms are comparable.
- Data that show the performance of each subgroup for each test form in EOG reading
- For the EOG reading and science tests, evidence that the tests, as administered, measure higher order thinking skills.
- A plan for assuring that the EOC Biology test content will meet state specifications for challenging content.
- Data showing that NCCLAS test content and proficiency standards are comparable to the grade-level assessments in EOG Reading, Mathematics and Science, and the EOC tests in Biology, English I and Algebra I (the High School Comprehensive Test of Mathematics).
- Data showing that the paper/pencil version of the 10<sup>th</sup> Grade Biology EOC is comparable in content and achievement standards to the on-line version.

## 4.0 - TECHNICAL QUALITY

For READING AND SCIENCE:

- An explanation of why the student reading report provides only genre (informational and literacy) results rather than goal information when North Carolina states that a major purpose of the state's testing program is to identify strengths and weaknesses to improve instruction
- Data regarding the assessment system's intended and unintended consequences, or a plan and timeline for such data collection
- Evidence that the scoring and reporting structures of the EOG science and EOC Biology tests are consistent with the sub-domain structures of the content standards.
- A clear description of the three standard-setting methods used and how those are used in conjunction with each other for EOG reading and science and EOC Biology.
- Reliability data for Reading EOG for limited English proficient (LEP) students, migrant students, economically disadvantaged students, and students with disabilities.
- The conditional standard error around the cut points for EOG Reading tests.
- Evidence of a system for monitoring and improving the on-going quality of the assessments.
- Evidence of a system for monitoring the implementation and effectiveness of various accommodations.
- For Reading EOG, Science EOC and EOG, evidence of generalizability for all relevant sources.

For the NCEXTEND1:

- Evidence that decisions based on the results of this assessment are consistent with the purposes for which the assessment was designed.
- A clear explanation about how the state assures that rater scoring processes allow for independent judgment and that there are adequate rater reliability procedures at the item/task level.
- Evidence that NCEXTEND1 student-level scores, achievement levels, achievement descriptors, and the expressed purpose of determining strengths and weaknesses are aligned.
- An explanation of how the scoring and reporting structure, including the scoring criteria, would produce information about the content area at the sub-domain level
- An explanation of how the limitations of the interim standard-setting process described in the Technical Manual for the 2007-2008 NCEXTEND1 are being addressed, including: 1) how these limitations will be rectified in the 2008-09 standard setting; and 2) how any shift in meaning of the academic achievement standards between these two years will be explained to teachers and parents.
- A final technical manual that adequately addresses each of the critical elements in the *Peer Review Guidance* regarding Technical Quality.

For the NCEXTEND2:

- Validity evidence for all EOC assessments that addresses all parts of Critical Element 4.1 in the *Peer Review Guidance*.
- Evidence that the State has examined whether the assessment produces intended and unintended consequences
- Additional information that explains the process that NC employed for setting standards on the NCEXTEND2 EOG and EOC tests
- Evidence of when the standard-setting was conducted (pilot or operational administration data), the training provided as a part of the process, and the qualifications of the judges.
- Final technical reports that resolve conflicting information, inconsistencies and errors in the documents submitted for this Peer Review.
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## 5.0 - ALIGNMENT

For READING, MATHEMATICS and SCIENCE:

- Final alignment reports for the EOG mathematics and EOC Algebra I and English I assessments, including a response by the agency for any alignment issues that may be reported by the evaluators.
- A plan to indicate how the State intends to use the results of the alignment study to make ongoing improvements in the alignment of its assessments to the content standards.
- Evidence that the EOG reading and science as well as the EOC science assessments reflect both the content knowledge and procedural or process skills as represented in the State's academic content standards and whether the assessments reflect the same degree and pattern of emphasis that are in the State's content standards.

For the NCEXTEND1:

- A final alignment report as well as a plan and timeline to address any shortcomings noted in the independent alignment study..

For the NCEXTEND2:

- Evidence that the NCEXTEND2 reflects the full range of the academic content standards for all subjects and grades tested and describes what changes in cognitive complexity or difficulty, if any, have been made in relation to the general assessments.
- Evidence that the NCEXTEND2 reflects both the content and procedural or process skills (such as the application of knowledge to solve problems, or understanding of scientific method) as represented in the State's academic content standards, and a description of changes made in test structure or format, if any, relative to the general tests.
- Evidence that the NCEXTEND2 reflects the same degree and pattern of emphasis as the State's academic content standards.

- Evidence that all skills referenced in the achievement level IV descriptions are represented by appropriate items in the operational test forms.
- The final report from the proposed alignment study referenced in the submission.
- A description of the planning process used to incorporate alignment review findings and the external reviews (RFPs) into the on-going assessment review cycle.
- Evidence that the State will not use results from the NCEXTEND2 high school tests for AYP.

## **6.0 - INCLUSION**

- Evidence of how the chart of allowable accommodations for students with disabilities participating in the EOG Reading test is disseminated and promoted.
- Data for the tests administered in 2007-08 that show all students in the grades tested are included in the assessment system.

For the NCEXTEND2:

- Clearly stated eligibility criteria for student participation in the NCEXTEND OCS that are related to the student's disability.
- Evidence that the State has ensured annual IEP Team review of assessment decisions, including a description of the procedures employed.
- Evidence that high school students assessed based on modified academic achievement standards (OCS tests of reading, math, science and writing) have access to the curriculum, including instruction, for the grade in which the students are enrolled.

## **7.0 - REPORTING**

For READING and SCIENCE:

- Interpretive guides at the school and district level, and a specific interpretive guide at the student level for EOG reading and for EOG science.
- An explanation as to why the cohort numbers at the high school level are different for EOC English I, Biology, and Algebra (all show different cohort numbers – see Green Book page 259 – 263), evidence of who is actually in the cohort, and evidence that all enrolled students are actually tested.
- Sample district-level reports that include student performance by achievement level.
- An explanation of why the state uses a normative (derived scale scores with a mean of 10 and a standard deviation of 3) reporting system at the sub-goal level given that these “normative” scores are not consistent with a standards-based reporting system. If the current reporting system is continued, then the state needs to make clear the difference between these two different ways of reporting

scores (*i.e.*, normative reporting and standards-based reporting) and provide evidence that such clarification is included with reports.

- Documentation showing how the State has provided for the production of itemized score analyses by subdomains or standards (item-by-item reports not required) so that parents, teachers, and principals can interpret and address the specific academic needs of students
- An itemized score analysis sufficiently detailed to identify problem areas and areas of strong performance for entire schools and demographic subgroups of students

For the NCEXTEND1:

- A full set of current (2007-2008) reports for the NCEXTEND1, Edition 2
- Interpretive guides for parents and educators

For the NCEXTEND2:

- A full set of reading and science EOG and a full set of EOC reports for all content areas tested as well as interpretive guides for parents and educators that explain the purpose and content of NCEXTEND2 so they can make accurate and appropriate inferences.
- Reports that include achievement level descriptors for OCS English I and Mathematics I that reflect content that is appropriate for high school students and is comparable to the content of the general assessments.
- An explanation of why “verified membership” in the Green Book seems to mean something different for grades 3-8 than for the high school summary reports.