

OAC Number: 210:35-27-2

Effective Date: 9/14/2018

210:35-27-2. Proficiency based promotion and evaluations of student placement

(a) **General provisions.** The provisions of this Section address requirements of school district policies and procedures pertaining to use of assessments to evaluate appropriate placement of students and/or provide course credit to students who can demonstrate proficiency in sets of competencies in the areas of curriculum required by 70 O.S. § 11-103.6, provided that the provisions of this Section are not intended to preclude a district from awarding credit to a student who satisfactorily completes all course requirements and sets of competencies for a course. The policies and procedures shall comply with the requirements of this Section and shall set forth the district's use of proficiency assessments for each of the following purposes:

(1) **Course placement.** Proficiency assessments for purposes of "course placement" refer to assessments administered solely for the purpose of evaluation of appropriate grade or course placement of students; and

(2) **Credit by examination.** Proficiency assessments for purposes of providing "credit by examination" refer to assessments administered for the purpose of providing course credit for a student who demonstrates mastery of a set of competencies through the examination in lieu of completion of Carnegie units ("proficiency based promotion").

(b) **Policies regarding use of proficiency-based assessments for appropriate grade or course placement.** School district policies and procedures regarding use of proficiency assessments shall address all of the following provisions:

(1) **Requests for proficiency assessments for evaluation of appropriate grade or course placement.** The district policies required by this Section shall clearly describe the procedures for requesting proficiency assessments for the purpose of evaluating appropriate grade or course placement of a new student or currently enrolled student and shall ensure compliance with all of the following provisions:

(A) Every school district shall provide all new students with an opportunity to request a proficiency assessment for the purpose of determining appropriate course placement within thirty (30) days of enrollment or re-enrollment in the district. School district policies shall permit a request for an assessment for this purpose to be initiated by a new student or the student's teacher, parent, or legal guardian.

(B) For purposes of this paragraph, any student currently enrolled in the district who was not enrolled in the district during all or part of the immediately preceding school term, excluding summer school terms, shall be considered a new student.

(2) Requests for proficiency assessments for credit by examination. The district policies required by this Section shall clearly describe the procedures for requesting proficiency assessments for the purpose of obtaining course credit by examination and shall ensure compliance with all of the following provisions:

(A) Every school district shall provide all students legally enrolled in the school district with at least two opportunities per school year to obtain course credit through examination in each required curriculum area. School district policies shall permit a request for an assessment for this purpose to be initiated by a student or the student's teacher, parent, or legal guardian.

(B) Identification as a "Gifted and Talented" student in accordance with the provisions of 70 O.S. § 1210.301 et seq. and accompanying regulations shall not be used as a prerequisite for requesting an assessment for the purpose of obtaining credit by examination.

(C) Enrollment in a course or completion of a course shall not be used as a prerequisite for requesting an assessment for the purpose of obtaining credit by examination.

(D) Students who do not successfully demonstrate proficiency by evaluation or assessment pursuant to the provisions of this Section shall be allowed to attempt the assessment again during the next available proficiency evaluation period.

(3) Curriculum areas eligible for course credit by examination. The district policies required by this Section shall clearly state the areas of curriculum for which evaluation of proficiency may be requested for the purpose of obtaining course credit through examination.

(A) The areas of required curriculum in which opportunities for credit by examination will be offered shall include:

(i) Social studies, history, or citizenship skills;

(ii) Language arts or English;

(iii) Visual arts, fine arts, performing arts, or speech/communication;

(iv) Non-English languages;

(v) Mathematics; and

(vi) Science

(B) Written criteria for demonstrating mastery in each required curriculum area shall be made available to a student or the student's parent or legal guardian upon request. Demonstration of proficiency in all laboratory science courses shall include a requirement of demonstration of the student's ability to perform relevant laboratory techniques.

(c) **Proficiency assessment tools - requirements.** Each school district shall clearly identify the assessment tools it will use to make student placement decisions and assessment tools it will use to provide course credit by examination. The assessment tools must comply with all of the following requirements:

(1) **Proficiency assessments for purposes of evaluating appropriate grade or course placement.** Each district shall clearly identify all assessment tools used to evaluate appropriate grade or course placement of a student in absence of evidence of the student's successful completion of a previous grade level or a prerequisite course in the district. Evaluations administered for this purpose shall assess the student's proficiency in sets of competencies appropriate to the curriculum area, and shall meet all of the following requirements:

(A) The evaluation shall ensure that appropriate grade and/or course placement of a student meets the requirements of (d)(2) of this Section and shall ensure that the academic needs of the student are met.

(B) The evaluation shall ensure that appropriate grade and/or course placement of a student complies with all other requirements of state or federal law (e.g., provisions of the Reading Sufficiency Act at 70 O.S. 1210.508A et seq.).

(C) Examples of types of appropriate assessment tools for making student grade or placement decisions may include, but shall not be limited to:

(i) A portfolio of student work;

(ii) A criterion-referenced test,

(iii) A student thesis, project, or product;

(iv) A student performance or recital;

(v) Student classroom performance; or

(vi) Recommendations of the student's teacher.

(2) **Course credit through examination.** Each district shall clearly identify all assessments used to determine proficiency for the purpose of obtaining credit through examination for required courses. Students may take assessments for this purpose before, during, or after enrollment in the course. Assessments of proficiency for this purpose shall require a demonstration of proficiency appropriate to the curriculum area and shall meet all of the following requirements:

(A) Courses tested under the Oklahoma School Testing Program.

Credit by examination for courses that are tested under the Oklahoma School Testing Program ("OSTP") at 70 O.S. § 1210.508 shall require the student to obtain a proficient score on an assessment tool identified by the district in accordance with local school district policies.

(i) Credit by examination for secondary-level courses that are used to meet high school graduation requirements and are tested under the Oklahoma School Testing Program at 70 O.S. § 1210.508 shall require a score of at least "Proficient" or above in the criterion-referenced test that corresponds to the required course.

(ii) Credit by examination for any elementary or middle level course shall require the student to obtain a score of "Proficient" or above on the criterion-referenced test that corresponds to the course for which the student seeks credit.

(B) Courses not tested under the Oklahoma School Testing Program.

Credit by examination for courses not tested under the Oklahoma School Testing Program at 70 O.S. § 1210.508 shall require the student to obtain a proficient score on an assessment tool identified by the school district in accordance with local school district policies and approved by the local district board of education.

(i) Every school district shall ensure that each assessment tool identified for use to provide credit through examination pursuant to the provisions of this subparagraph meets all of the following requirements:

(I) The assessment tool for the curriculum area requires a demonstration of proficiency that is appropriate to the subject area; and

(II) The assessment tool for the curriculum area is aligned to the district's curriculum standards and accurately measures the student's demonstration of the sets of competencies in the current academic method and process

standards most recently adopted by the State Board of Education.

(ii) Examples of types of appropriate assessment tools in curriculum areas not tested under the provision of the OSTP may include, but shall not be limited to:

- (I) A portfolio of student work;
- (II) A criterion-referenced assessment;
- (III) A student thesis;
- (IV) A student project;
- (V) A student performance or recital.

(3) **Students with disabilities.** Every evaluation or assessment tool administered to students in accordance with the provisions of this Section shall include necessary accommodations set forth in a student's IEP or Section 504 plan, if any. Accommodations to a proficiency assessment may be approved by a local district for students with disabilities. The appropriateness of such accommodations shall be determined on a case-by-case basis in accordance with the student's IEP or Section 504 plan.

(d) **Results of proficiency assessments.** Each district shall establish policies for student placement and/or promotion that include consideration of the results of assessments given in accordance with the provisions of this Section. Such policies shall ensure compliance with all of the following requirements:

(1) **Unsuccessful demonstration of proficiency.** Failure to demonstrate proficiency in an assessment provided in accordance with the provisions of this Section shall not be noted on the student's transcript.

(2) **Successful demonstration of proficiency.** Decisions regarding promotion of students who demonstrate proficiency in a required curriculum area in accordance with the provisions of this Section shall be determined in accordance with local school district policies and shall meet all of the following requirements:

(A) The school shall confer with parents/guardians in making decisions regarding student placement or promotion. Such factors as social, emotional and intellectual needs of the student should be considered.

(B) If the parent or guardian requests promotion/acceleration contrary to the recommendation of school personnel, the parent or guardian shall sign a written statement which shall be included in the permanent record of the student.

(C) If a student is being assessed in a set of competencies that is part of a curriculum sequence, the student may demonstrate proficiency in any sequence recommended by the school district.

(D) Options for accommodating a student's needs for advancement after a student has demonstrated proficiency may include, but are not limited to, the following:

- (i) Individualized instruction
- (ii) Correspondence courses
- (iii) Independent study
- (iv) Concurrent enrollment
- (v) Cross-grade grouping
- (vi) Cluster grouping
- (vii) Grade/course skipping
- (viii) Individualized education programs
- (ix) Supplemental online courses

Source:

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