

Dear Assistant Secretary Delisle:

I am writing on behalf of Oklahoma to request a waiver of the Title I, Part A requirement for the State, in collaboration with local educational agencies (LEAs), to measure the achievement of students against the challenging State academic content and student academic achievement standards in each of grades 3 through 8 in mathematics (20 U.S.C. § 6311(b)(3)(C)(v)(I)(bb) and 6311(b)(3)(C)(vii)). This waiver would apply only with respect to students who are completing an advanced (high school) mathematics course prior to ninth grade (for example, Algebra I completed in the eighth grade).

Oklahoma Statutes allow student to earn credit for high school courses taken prior to ninth grade and require students who do so to take the associated End-of-Instruction Exams.

*Credit for the units or sets of competencies required ... shall be given when such units or sets of competencies are taken prior to ninth grade if the teachers are certified or authorized to teach the subjects for high school credit and the required rigor is maintained. (70 O.S. § 11-103.6)*

*Any student at the middle school level who completes the instruction in a secondary course ... shall be administered the appropriate end-of-instruction test. (70 O.S. § 1210.508)*

Oklahoma seeks a waiver of the provision to assess students on grade-level content when the student is completing coursework above grade level because students are currently required to complete two mathematics tests during a limited period of time, assessing two different bodies of mathematics content. It is Oklahoma's belief that the more advanced test demonstrates each student's level of competence on the less advanced content as well. The repeated test is duplicative and burdensome on students, teachers, administrators, and the State.

Further, Oklahoma finds that communication of teacher and leader evaluation scores is confusing to educators and communication of school grades is confusing to educators, parents, and the public when some students are included more than once in the calculations as a result of two tests being given to students in one year.

Thus, a waiver of the requirement to assess students on grade-level mathematics content is necessary to give Oklahoma and its LEAs sufficient time to focus on instruction in the advanced content area and sufficient accountability on content taught. Oklahoma must be able to ensure valid and reliable accountability determinations, recognitions, and supports so that schools and LEAs can properly implement continuous improvement activities to increase the quality of instruction for students and ultimately improve the academic achievement of students in mathematics.

Based on prior years' data, it is approximated that the following numbers of students would be affected by the approved waiver:

- 6<sup>th</sup> Grade and Below: 10 or fewer
- 7<sup>th</sup> Grade: 1200
- 8<sup>th</sup> Grade: 9820

It is approximated that the following numbers of school sites and LEAs would be affected by the approved waiver:

- Elementary and Middle Level Sites (not requiring duplicative assessments): 497
- LEAs with One or More Elementary or Middle Level Site Affected: 273

Prior to submitting this waiver request, Oklahoma provided all LEAs in the State with notice and a reasonable opportunity to comment on this request. Oklahoma provided such notice by sending an email

to each LEA on Thursday, October 31, 2013 (see copy of notice attached). Copies of all comments that Oklahoma received from LEAs in response to this notice are attached hereto. Oklahoma has also provided notice and information regarding this waiver request to the public in the manner in which Oklahoma customarily provides such notice and information to the public by posting information regarding the waiver request on its Web site (see attached copy of public notice).

Oklahoma hereby assures that, if it is granted the requested waiver, its LEAs will meet the following conditions:

- LEAs within the State will ensure that at least 95% of affected students are assessed on the advanced mathematics content; and
- LEAs report to the State the number of students affected by the waiver annually.

Oklahoma will ensure compliance with these conditions by providing appropriate guidance regarding these conditions to its LEAs. In particular, Oklahoma intends to provide guidance through statewide assessment training sessions, assessment manuals, and communications with district test coordinators and mathematics teachers.

Oklahoma further assures that, if it is granted the requested waiver, it will submit to the U.S. Department of Education, by September 30 of each year, a report that provides the total number of LEAs within the State that had schools that took advantage of the waiver and provided only the assessment on advanced content to students enrolled in an advanced mathematics course.

Please feel free to contact Dr. Maridyth McBee by phone or email at 405-521-3341 or [Maridyth.McBee@sde.ok.gov](mailto:Maridyth.McBee@sde.ok.gov) if you have any questions regarding this request. Thank you for your consideration.