

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE
LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

SUBCHAPTER 27. PROFICIENCY BASED PROMOTION

210:35-27-1. Purpose and scope

This Subchapter contains rules and regulations for school districts to provide course credit and/or promotion for learning to students in grades Kindergarten (K) through twelve (12) who demonstrate proficiency in a specified set of competencies through an evaluation and/or assessment in lieu of successful completion of all Carnegie units in a particular course. These rules which relate to, and are in addition to, the accreditation standards set forth in Subchapters 1 through 13 of this Chapter.

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 include provisions addressing 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. ~~Upon the request of a student, parent, guardian, or educator, a student will be given the opportunity to demonstrate proficiency in one or more areas of the core curriculum.~~

(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. Proficiency will be demonstrated by assessment or evaluation 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. or the Achieving Classroom Excellence Act at 70 O.S. § 1210.523).

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

- (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.

~~Proficiency in all laboratory science courses will require that students are able to perform relevant laboratory techniques.~~

~~(2) Students shall have the opportunity to demonstrate proficiency in the core areas as identified in 70 O.S. § 11-103.6:~~

- ~~(A) Social Studies~~
- ~~(B) Language Arts~~
- ~~(C) The Arts~~
- ~~(D) Languages~~
- ~~(E) Mathematics~~
- ~~(F) Science~~

(2) **Course credit through examination.** Each district shall clearly identify all assessments used to determine proficiency for the purpose of advancing to the next level of study obtaining credit through examination for required courses. Proficiency will be demonstrated by a (90%) or comparable performance on an assessment or demonstration. 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 in lieu of completion of the required Carnegie units in secondary coursework for any course in a subject area identified in 70 O.S. § 1210.523 that requires an end-of-instruction examination shall require the student to obtain a score of "Proficient" or above on the end-of-instruction examination for the course administered pursuant to the provisions of 70 O.S. §§ 1210.508 and 1210.523.

(iii) 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.

~~(4) The opportunity for proficiency assessment will be provided at least twice each school year.~~

~~(5) Qualifying students are those who are legally enrolled in the local school district.~~

~~(6) The district may not require registration for the proficiency assessment more than one month in advance of the assessment date.~~

~~(7) Students will be allowed to take proficiency assessments in multiple areas.~~

~~(8) Students not demonstrating proficiency will be allowed to try again during the next assessment period.~~

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

(3d) **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.

(b2) Successful demonstration of proficiency. Decisions regarding promotion of students who demonstrate proficiency in a core required curriculum area in accordance with the provisions of this Section shall be determined will be given credit for their learning and will be given the opportunity to advance to the next level of study in the appropriate curriculum area in accordance with local school district policies and shall meet all of the following requirements:-

(4A) The school shall will confer with parents in making such promotion/acceleration decisions regarding student placement or promotion. Such factors as social, emotional and intellectual needs of the student mental growth should be considered.

(2B) 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.

(3) Failure to demonstrate proficiency will not be noted on the transcript.

(4C) If a student is being assessed in a set of competencies that is part of a curriculum sequence, the student Students must progress through a curriculum area in a demonstrate proficiency in the same sequential order. sequential manner. Elementary, middle level, or high school students may demonstrate proficiency.

(5) If proficiency is demonstrated in a grade 9–12 curriculum area, appropriate notation will be placed on the high school transcript. The unit shall count toward meeting the requirements for the high school diploma.

(6) Units earned through proficiency assessment will be transferable with students among school districts within the state of Oklahoma.

(e) Proficiency assessment will measure mastery of the Priority Academic Student Skills in the same way that curriculum and instruction are focused on the Priority Academic Student Skills. In other words, assessment will be aligned with curriculum and instruction.

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

- (1i) Individualized instruction
- (2ii) Correspondence courses
- (3iii) Independent study
- (4iv) Concurrent enrollment
- (5v) Cross-grade grouping
- (6vi) Cluster grouping
- (7vii) Grade/course skipping
- (8viii) Individualized education programs
- (ix) Supplemental online courses

(e) Each school district will disseminate materials explaining the opportunities of proficiency based promotion to students and parents in the district each year. Proficiency criteria for each core curriculum area will be made available upon request.

210:35-27-3. Appropriate notation for credit in core required curriculum area(s) completed through examination

~~Appropriate notation~~ All course credits earned through examination by will be made for elementary, middle level, or high school level students satisfactorily completing grade 9–12 high school in required curriculum areas shall be appropriately notated on the student's transcript and/or student record. Completion may be recorded with a letter grade or pass notation. Credits earned by a student through examination in accordance with the provisions of 210:35-27-2 shall be transferable to or from any other school districts within the State of Oklahoma in which the student was enrolled, is currently enrolled, or may be enrolled. This Credit for units of secondary coursework in curriculum area will areas required for graduation by 70 O.S. § 11-103.6 shall count toward meeting the requirements for the high school diploma.