

**State Board of Education  
Public Comment Summary  
Proposed Permanent Rule Changes  
Chapter 10. School Administration and Instructional Services  
Subchapter 13. Student Assessment  
210:10-13-22. Implementation of a system of school improvement and accountability  
[AMENDED] ("A-F").**

Summary of Public Comment	Agency Response
<p>One (1) commenter wrote in support of the rules, noting that data and their application are usefully considered in three categories: (a) Summary Data, (b) Synthesis Indicators, and (c) Analytics. The A-F report card is useful as a synthesis indicator of student achievement, individual student growth (off all students and the bottom 25%) and whole school performance.</p>	<p>N/A</p>
<p>~ Thirty (30) commenters proposed that for calculation of student achievement, award points in equal increments for the performance index and convert to the common scale by subject and grade instead of grouping them together. This will also allow for comparisons when changes to the subjects tested are different across years.</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p>~ Five (5) commenters suggest that for calculation of student growth, develop pre- and post- tests to measure growth or identify a growth model that does not require vertically aligned content and scales.</p>	<ul style="list-style-type: none"> <li>• Adding a fall testing window in addition to the Spring testing window would be cost prohibitive at this time.</li> <li>• The agency is implementing vertical scales for assessments this year, which will address concerns about use of summative assessments to measure student growth.</li> </ul>
<p>~ Thirty (30) commenters suggest that calculation of “whole school performance”, develop a common scale or points for each of the components and convert to a grade based on the total points obtained on all components</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p>~ Thirty (30) commenters suggest that for calculation of “whole school performance” define weights for all indicators that will have an impact on the grade and will therefore be meaningful. The weights on many indicators are so small that they do not contribute meaningfully to a grade which measures improvement.</p>	<ul style="list-style-type: none"> <li>• The U.S. Department of Education requires states receiving federal financial assistance to report graduation rate and assign a certain weight to this factor in the State’s overall grade. As such, not each</li> </ul>

	<p>indicator within the “whole school improvement” criteria can receive the same weight.</p>
<p>~ Thirty (30) commenters suggest agency should report school performance like school report cards that provide indicators of performance periodically and in multiple areas over the course of the year; commenters recommend agency should develop a report card format that more adequately reflect a school performance profile; agency should eliminate the single grade, which cannot be composed without adding together unlike elements and promoting confusion and misunderstanding</p>	<ul style="list-style-type: none"> <li>• The requirement that a school receive a single letter grade is statutory. The suggested change would require amendment of 70 O.S. § 1210.545(B) by the Legislature.</li> </ul>
<p>~ Thirty (30) suggest achievement component should assign incremental point values to each of the four achievement levels; percentages should not be measured from a non-linear scale</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule. Points assigned in (f)(1)-(2) are now assigned in equal intervals of either zero (0) or one (1).</li> </ul>
<p>~ Thirty (30) suggest accountability system should be upfront about its limitations and uses; agency should make explicit the limitations of the accountability system and warn of its inappropriate use for high-stakes decision-making</p>	<ul style="list-style-type: none"> <li>• The agency has communicated the intended purpose of the A-F report card.</li> <li>• The report card demonstrates accountability and growth of students in the building and is an informative statement relating to the performance of the school.</li> <li>• Statements relating to use are most appropriately addressed in the communications toolkit and technical assistance provided, not the rule itself.</li> </ul>
<p>~ Thirty (30) commenters suggest agency should embed assessments in instruction throughout the year.</p>	<ul style="list-style-type: none"> <li>• The agency agrees with the value of formative assessments and actively encourages use by schools, but chose not to make those assessments part of the accountability system so that schools would not be subject to the additional administrative requirements required for all test administered under the Oklahoma Student Testing Program under 210:10-13-18</li> </ul>

	<p>(e.g., test monitors, procedures for score invalidations).</p> <ul style="list-style-type: none"> <li>• The agency must also balance public concerns about possible interference more testing could have with regular school instruction.</li> </ul>
<p>~ Thirty (30) commenters suggest accountability system is important to our state; essential that it be credible, accurate and supported by policy makers, school professionals, and the people of Oklahoma; agency should take the time to enlist the services of assessment and evaluation experts who can objectively build an exemplary Oklahoma accountability system directed at incremental and continuous school improvement</p>	<ul style="list-style-type: none"> <li>• This comment is outside of the scope of the proposed rule change.</li> <li>• The assertion falsely assumes that the agency does not already seek collaboration with stakeholders, school professionals, policy makers, and the public. The agency collaborated and continues to collaborate with assessment and evaluation experts, state citizens and policy makers, and school professionals in developing the rule.</li> </ul>
<p>~ Five (5) commenters complain that current summative assessments used were not designed to measure student growth</p>	<ul style="list-style-type: none"> <li>• 70 O.S. § 1210.545 (D) requires 33% of the grade to be based upon student test scores, “including achievement on all criterion-referenced tests and end-of-instruction tests administered under 70 O.S. § 1210.508 and alternative test scores administered under 70 O.S. § 1210.523.</li> <li>• The agency is implementing vertical scales for assessments this year, which will address concerns about use of summative assessments to measure student growth.</li> </ul>
<p><b>Longitudinal Data System</b>  ~ Thirty (30) commenters suggest agency should develop a balanced performance measurement plan that aligns with strategic goals of schools; agency should track school indicators longitudinally; should rely on trend lines of both process and outcome indicators over the year and multiple years to determine growth in school performance. Growth indicators for different subject content should not be co-mingled to create single growth estimates for a whole school;</p>	<ul style="list-style-type: none"> <li>• The agency’s goal is to provide a balanced measurement plan that complies with the statutory requirements of 70 O.S. § 1210.545.</li> <li>• The agency is working on implementation of a longitudinal data system, which</li> </ul>

	it expects to implement this year.
<p><b>School Performance Grading Scale in (h)</b>  ~ Thirty (30) commenters suggest for calculation of overall GPA, develop a common scale or points for each of the components and convert to a grade based upon the total points obtained on all of the components. Commenters noted statistical impossibility of achieving a 3.75 GPA;  Commenters suggest grading scale in (h)(1)-(5) should be replaced with 90%-100% = A; 80%-88.9%=B; 70%-79.9% = C; 60%-69.9% =D; 59.9% or below = F  Commenters suggest separate grades should be reported numerically on a scale from 0 to 100 until a final conversion to a letter grade at the end of the report card  Conversion of each section’s letter grade to a zero to four point scale unfairly results in a rounding down of each site’s grade. Using performance index number for the average of the three sections would eliminate the unfair and arbitrary rounding down of each site’s grade.  Commenters suggest final report card calculations should be made on weighted point total per section instead of converting each section to letter grade based on 4.0 scale; final grade should be a percentage and a letter grade; Commenters (h)(1): GPA required for an A should be a 3.6, which represents conventional understanding of A as 90% or higher; One (1) commenter suggested GPA of final letter grade should be changed to reflect public understanding of letter grades on a 4.0 system: A - 3.50 to 4.00; B – 2.50 to 3.49; C – 1.50 to 2.49; D - .50 to 1.49; and F – below 0.50</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> <li>• The rule eliminates the calculation of an overall GPA in (h) of the rule and has been replaced by a common numerical scale of points.</li> </ul>
<p><b>Implementation (b)</b>  ~ Thirty (30) suggest proposed changes in (b)(1)(C) are a more accurate reflection of the lowest achieving students for a school site by including the actual lowest twenty-five percent (25%) of students, instead of only those who failed the assessments</p>	<ul style="list-style-type: none"> <li>• The agency agrees with this comment and is seeking a statutory change to redefine the the students constituting bottom twenty-five percent (25%).</li> </ul>
<p><b>Reporting Student Achievement Data for School Accountability (d)</b>  Three (3) commenters objects to language in (d) requiring district grades to be average of overall school performance grades within the district; commenter requests that district grade consist of overall performance of students in the district.</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>

<p><b>Reporting Student Achievement Data for School Accountability – (d)(3)</b>  ~ Thirty (30) commenters noted that subsection (d)(3)(B) requires a school to be graded according to middle school criteria if the highest grade served by a site is the 7<sup>th</sup> through 10<sup>th</sup> grade; Proposed changes in (d)(3)(B) do not clearly specify what advanced coursework will qualify for a single grade ninth grade site. Reference to (f)(4)(A)(ii) refers only to AP coursework, which is the appropriate advanced coursework for grades 10-12. Subsection (f)(4)(b)(i) needs to be included for pre-AP courses for 9<sup>th</sup> graders.</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p><b>Reporting Student Achievement Data for School Accountability – (d)(3)</b>  Commenters note typographical error in (d)(3)(B); the word “category” is misspelled</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p><b>School Performance Grades (e)</b>  Two (2) commenters assert (e)(1)-(3) not clear whether school must have thirty (30) valid scores in one subject or thirty (30) valid scores in all subjects combined in order to calculate student achievement and student growth in (e)</p>	<ul style="list-style-type: none"> <li>• The n-size requirement applies both to the individual subject component and the criteria.</li> </ul>
<p><b>School Performance Grades (e)</b>  One (1) commenter suggested reducing the N size to ten (10) to ensure more schools are held accountable;</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenter into the revised draft of the proposed rule.</li> </ul>
<p><b>School Performance Grades (e)</b>  ~ Thirty (30) commenters object to language in (e)(3) providing Superintendent to “establish and adjust appropriate achievement level criteria to the extent allowed by law for submission to the State Board of Education for final approval. This creates a standard that will be ‘floating’ and doesn’t afford students or school districts with notice as to the achievement levels that are to be attained.”  Commenters suggest deleting “Superintendent of Public Instruction” and replace with “State Department of Education.</p>	<ul style="list-style-type: none"> <li>• The agency disagrees with the commenter’s assertion; the language specifically states that the designation shall be based upon the criteria specified in (f) of the rule.</li> <li>• Final approval of any adjustments of criteria is required of the State Board of Education.</li> <li>• Amending the achievement level criteria would require a rule change. Inherently, this process affords students, school districts, and the public with notice as to the achievement levels that are to be attained.</li> </ul>
<p><b>School Performance Grades (e)</b>  ~ Thirty (30) commenters suggests deleting the language “School Performance Grades A, B, C, D, and F” and replace with “a numerical scale or point system of 0-100.”</p>	<ul style="list-style-type: none"> <li>• Deletion of the reference to “School Performance Grades A, B, C, D, and F” would not be appropriate, as 70 O.S. § 1210.545(B) requires the</li> </ul>

	<p>assignment of such grades.</p> <ul style="list-style-type: none"> <li>• However, the overall grading system has been amended to reflect the numerical scale or point system of 0-100.</li> </ul>
<p><b>Student Growth Index in (f)(2)</b>  ~ Thirty (30) commenters want student growth index to include both positive and negative change, instead of “state average of students with a positive OPI change.”  Commenters wants bonus points for student growth in (f)(2) and (3) to be awarded to students who exceed state average positive <i>or negative</i> growth</p>	<ul style="list-style-type: none"> <li>• Averaging growth of students contradicts the intent of the statute. The language of the statute requires measurement of “student learning gains” in the 17% category of overall growth and improvement of students who are not exhibiting satisfactory performance in the 17% category of growth of the lowest 25% of these students.</li> </ul>
<p><b>Criteria for Designating School Performance Grades – (f)(3)</b>  ~ Thirty (30) commenters suggest calculation of student growth bottom 25% should be inclusive of all bottom 25% scores, not just those scores that are limited knowledge or unsatisfactory.</p>	<ul style="list-style-type: none"> <li>• The requirement that students who are exhibiting satisfactory performance be excluded from the calculation of the lowest 25% percentile is statutory. The suggested change would require amendment of 70 O.S. § 1210.545(D)(3) by the Legislature.</li> <li>• The agency agrees with this comment and is seeking a statutory change to redefine the the students constituting bottom twenty-five percent (25%).</li> </ul>
<p><b>Criteria for Designating School Performance Grades – (f)(3)</b>  ~ Five (5) commenters believe students in bottom 25% should earn a growth point from moving from Unsatisfactory to Limited Knowledge or Limited Knowledge to Proficient. Commenters believe schools should be given growth points for remaining at least limited knowledge between grades</p>	<ul style="list-style-type: none"> <li>• The rule already provides a growth point for students who move from Unsatisfactory to Limited Knowledge in (f)(2)(b) in the overall growth category; students who move from Limited Knowledge to Proficient receive a growth point in both overall growth and growth of the bottom 25% categories</li> </ul>

<p><b>Criteria for Designating School Performance Grades – (f)(3)</b>  ~ Thirty (30) commenters suggest that for calculation of student growth, growth should be weighted in terms of overall growth and bottom 25% growth to more accurately reflect representation of scores that each reflects (e.g., 80% for overall growth and 20% for bottom 25%); having an overall school performance score and a student growth score would be much more accurate reflection of school performance</p>	<ul style="list-style-type: none"> <li>• The commenter’s suggestion would require a statutory change, as the statute requires measurement of “student learning gains” and appears to contradict the intent of the statute.</li> </ul>
<p><b>Whole School Improvement – High Schools (f)(4)(A)</b>  ~ Five (5) commenters expressed concerns about students and districts who cannot afford AP testing; schools should receive whole school performance points for concurrent enrollment; one commenter supports addition of concurrent enrollment into whole school improvement category factors</p>	<ul style="list-style-type: none"> <li>• The 70 O.S. § 1210(D)(2) expressly includes the performance and participation of students in AP and IB courses” in the criteria for calculation of the “whole school improvement” category.</li> <li>• Schools receive points for concurrent enrollment in accelerated coursework in the “whole school improvement” category.</li> </ul>
<p><b>Whole School Improvement – High Schools (f)(4)(A)</b>  ~ Thirty (30) commenters suggest addition of language in (f)(4)(A)(ii) to include “a college or university” in list of institutions where accelerated coursework can be completed.</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p><b>Whole School Improvement – High Schools (f)(4)(A)</b>  ~ Three (3) commenters note proposed changes in (f)(4)(A)(ii) remove the negative effect for schools having a large number of students participating in concurrent enrollment. Changes more accurately reflect the advanced coursework opportunities and participation by counting all courses for a student.</p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>Whole School Improvement – High Schools (f)(4)(A)</b>  One (1) commenter requests that the Report Card not include cooperative alliance courses in 210:10-13-22(f)(4)(A)(ii) and (iii); high schools can be rewarded for the number of students enrolled in “industry certification courses” defined as courses that are part of CareerTech programs taught at any technology center that lead to an industry-recognized certification and that performance can be measured by “passing the industry certification examination.”</p>	<ul style="list-style-type: none"> <li>• 70 O.S. § 1210.545(E)(3)(b) specifically includes participation rates of students enrolled in “courses or a sequence of courses granted cooperative college alliance credit taken at a technology center school.”</li> </ul>
<p><b>Whole School Improvement – High Schools (f)(4)</b>  ~ Thirty (30) commenters object to the requirement in (f)(4)(A)(iii) requires students to earn a three (3) or better on the AP exams to earn credit for “performance in accelerated coursework.” Noting not all students can afford to take the AP exam, commenters suggest removing the AP test score</p>	<ul style="list-style-type: none"> <li>• 210:10-13-22(f)(4)(A)(iii) sets a threshold for three (3) or better on the AP exams to receive credit for AP performance in the “whole school improvement” category because</li> </ul>

<p>entirely as a part of the rule and counting successful completion of the course if a student receives a “C” or better; One (1) commenter supports inclusion of IB and AP coursework in (f)(4)(A)(iii), but suggests scale for this section should remain intact instead of using the scale previously associated only with concurrent enrollment and industry certification coursework.</p>	<p>(3) is the number designated by College Board as “Qualified” to receive college credit or advanced placement. The College Board considers a score of two (2) as only “possibly qualified.”</p> <ul style="list-style-type: none"> <li>• 210:10-13-22(f)(4)(A)(ii) provides schools credit for <i>participation</i> in accelerated coursework; credit is given for each course in which a student is enrolled, and does not require a student to take an AP exam to earn credit.</li> </ul>
<p><b>Whole school improvement – High Schools ACT and SAT Participation and Performance (f)(4)(A)(iv)-(v)</b>  ~ Fifteen (15) commenters want high schools should receive credit for all students who have taken college entrance exams during their high school careers, not just those students who have taken entrance exams in most recent administration prior to the time data is collected for the report card; data from prior academic year should not be used to interpret current year grade, e.g., 2011 ACT scores used to calculate 2012 grade b/c 2012 scores “not available” in time to use. Commenters state ACT/SAT scores counted should be a student’s highest score, not the most recent score; request language in (f)(4)(A)(iv)-(v) replacing “most recent test score reported at the time the test is administered” with “highest test score reported.”</p>	<ul style="list-style-type: none"> <li>• The agency disagrees that the language is unclear; limitation on use of previous year’s data is a limitation of the vendor, not the rule.</li> <li>• The agency uses all data made available by the vendor; the agency is currently working with the vendor to make data from previous years available.</li> </ul>
<p><b>Whole school improvement – High Schools (f)(4)(A)(iv)-(v)</b>  One (1) commenter supports revision striking wording in (f)(4)(A)(vi) “This component shall only include students counted as on time graduates.”</p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>Whole School Improvement - Middle School Higher Level Coursework (f)(4)(B)</b>  Five (5) commenters assert that (f)(4)(B) does not clearly specify what middle school coursework qualifies as “higher level coursework” and wants rule to define “middle school advanced coursework.” One commenter criticized use of “honors” in as a vague term to describe higher level coursework; requested schools receive credit for Pre-AP courses instead of “honors”</p>	<ul style="list-style-type: none"> <li>• The agency’s intent is to define the term as broadly as possible in order to provide middle schools with opportunity to receive credit for “higher level coursework.” A more explicit definition per the commenter’s suggestion may limit middle schools from receiving credit for advanced coursework.</li> </ul>



	<ul style="list-style-type: none"> <li>• The proposed rule does award credit for students taking pre-AP courses or honors courses.</li> </ul>
<p><b>Whole School Improvement – Elementary Schools (f)(4)(C)</b>  One (1) commenter supports elimination of higher level coursework consideration for elementary campuses</p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>Whole school improvement (f)(4) – Elementary Schools</b>  ~ Five (5) commenters expressed concerns about feeder pattern schools; because Pre-K through second grade schools aren’t tested, grade is dependent upon other elementary schools who have third and fourth grade students; no opportunity to show growth when data is only based upon third grade data.  Commenters suggest using reading proficiency rates as part of the base grade for whole school improvement for elementary schools; One (1) commenter proposes use of DIBELS and EnVision assessment data in math and reading in K-2 school grades;</p>	<ul style="list-style-type: none"> <li>• The requirement that a school that serves any combination of students in kindergarten through grade three which does not receive a school grade because the students are not tested and included in the school grading system shall receive the school grade designation of a feeder pattern school is statutory. The suggested change would require amendment of 70 O.S. § 1210.545(C)(2) by the Legislature</li> </ul>
<p><b>Whole school improvement (f)(4) – Elementary Schools</b>  ~ Thirty (30) commenters suggest achievement component not a valid measure of school effectiveness because status scores are influenced by many factors, such as attendance, which are outside of a school’s control;  Commenters expressed concerns about attendance being 33% of a schools overall grade because attendance is a factor outside of a school’s control, and there is too much emphasis on attendance for elementary schools;  ~ Twenty (20) commenters suggest scale for attendance grade should be changed to 93.5%-100% = A; 91.5%-93.49% B; 89.5%-91.49% = C; 87.5%-89.49% = D; 87.49% or below =F:</p>	<ul style="list-style-type: none"> <li>• Attendance is factored only for elementary schools in the whole school improvement category;</li> <li>• The value of attendance is appropriately reflected in the category of whole school improvement. It is important for schools to communicate the importance of attendance to students to build good learning habits in elementary school. The statute expressly requires measurement of learning, and students cannot learn if they are not attending school.</li> <li>• The inclusion of attendance is a requirement of the U.S. Department of Education.</li> <li>• The purpose of the report card is to provide performance data, not to explain causation.</li> </ul>

<p><b>Whole School Improvement – Elementary Schools (f)(4)(C)</b>  One (1) commenter suggests points for whole school improvement of elementary schools should be given for art and music participation rates; library book circulation rates; Two (2) commenters suggest having a certified PE program/student participation in PE program; foreign language coursework</p>	<ul style="list-style-type: none"> <li>• The current shortage of foreign language teachers limits the feasibility of commenter’s suggestion.</li> </ul>
<p><b>Whole School Improvement – Elementary Schools (f)(4)(C)</b>  ~ Twenty (20) commenters suggest dropout rate should be omitted from the calculation of elementary schools  Commenters suggest attendance rate should be reported in such a way that rounds tenths of percentages up in the performance index</p>	<ul style="list-style-type: none"> <li>• The suggested change would require a statutory change to 70 O.S. § 1210.545(D)(4)(b)(1), which requires the drop-out rate to be calculated for elementary and middle schools.</li> </ul>
<p><b>Additional points (g) – School Climate Survey</b>  ~ Thirty (30) commenters suggest agency should include valid and reliable measures of school climate, motivation, and disposition of school role groups longitudinally; agency should promote the use of valid and reliable measurement of process variables at the district and school level, to be used by schools in their improvement plans;  ~ Five (5) commenters requested the bonus points for school climate survey remain in the rule;  One (1) commenter complains that last year, the school found out about climate survey too late to get credit.</p>	<ul style="list-style-type: none"> <li>• The agency agrees with the commenter’s assertion that a climate survey is valuable, but to ensure consistency, the agency does not believe a school climate survey should be continued to be used in the score without adequate resources to ensure all districts use the same climate survey.</li> <li>• Timeliness of the climate survey is moot, as the climate survey is being removed from the accountability system for the reasons discussed above.</li> </ul>
<p><b>Additional points (g) – Parent and community engagement factors</b>  ~ Five (5) Commenter notes that there is a subparagraph (1)(A) in (g) but the other subparagraph has been stricken; recommends that portion of the rule be renumbered as just (g).</p>	<ul style="list-style-type: none"> <li>• The agency has incorporated the change suggested by the commenters into the revised draft of the proposed rule.</li> </ul>
<p><b>Additional points (g) – College Preparatory Coursework</b>  One (1) commenter requests language of (g)(2)(A)(B) include standards by which schools can earn additional points for college preparatory coursework and college remediation rates.</p>	<ul style="list-style-type: none"> <li>• The proposed rule currently includes standards by which schools can earn additional points for college preparatory coursework and college remediation rates.</li> <li>• Technical assistance is available through A-F Toolkit published in the <a href="http://ok.gov/sde/f-grading-system">http://ok.gov/sde/f-grading-system</a></li> </ul>

<p><b>Additional points (g)</b>  One (1) commenter suggests using foreign language study as a bonus item for schools comprised of middle school grades</p>	<ul style="list-style-type: none"> <li>• Middle schools have the opportunity to obtain credit for foreign language courses as advanced coursework per (f)(4)(B)(i)</li> </ul>
<p><b>Accuracy and Representativeness of Performance Data (i)</b>  ~ Twenty (20) state data system does not have capability to provide schools with ongoing data releases, time period for data review in (i)(1) should include a final 30-day verification period for all data  Commenters suggest time provided for district review of performance grade calculation in (j)(2) should be increased from ten (10) days  One (1) commenter objects to lack of appeals process in (i)(2) in event district disagrees with grade determination following review of data calculation; rule should provide for administrative hearing</p>	<ul style="list-style-type: none"> <li>• The agency has updated its data system to provide rolling data releases to schools as each data component becomes available.</li> <li>• Schools are provided a period of at least thirty (30) days to review and verify each data component as it becomes available under (j)(1).</li> <li>• Schools are provided an additional period of ten (10) days to certify the calculation of the grade based upon the previously-verified data.</li> <li>• A-F report cards are based solely upon mathematical calculations of a set of data previously verified by a school; report cards are not considered agency orders, and therefore do not fall under the scope of agency actions warranting administrative adjudication as “individual proceedings” under the Administrative Procedures Act.</li> </ul>
<p><b>Accuracy and Representativeness of Performance Data (i)</b>  One (1) commenter notes CTB cannot upload student last names containing hyphens, spaces or in excess of 11 characters; Students’ names on computer-administered EOI English tests and hand bubbled writing tests don’t match up. Additional appeal window should be made after CTB provides results to confirm corrections were made.</p>	<ul style="list-style-type: none"> <li>• The rule already provides a data review period after testing results are released to ensure corrections are made.</li> <li>• The agency is working with the vendor and updating the student information system to address these concerns.</li> </ul>
<p><b>Accuracy and Representativeness of Performance Data (i)</b>  One (1) commenter asserts cut scores used to determine levels of mastery after tests are scored, which means State can control levels of student success.</p>	<ul style="list-style-type: none"> <li>• The cut scores are based upon recommendations of committees of experts using a psychometrically sound process.</li> <li>• Committees which recommend cut scores are made up of</li> </ul>

	community leaders, school professionals, parents, and stakeholders.
One (1) commenter expressed concerns that advanced students are penalized for no growth	<ul style="list-style-type: none"> <li>• The rule currently awards points for growth for advanced students who improve scores or remain proficient from Year 1 to Year 2.</li> <li>• The rules permit a school to earn credit for student enrollment and performance in advanced coursework.</li> </ul>
One (1) commenter believes student dropouts and mentally challenged students should be separated from the calculations	<ul style="list-style-type: none"> <li>• The agency is required by law to include these calculations in the assessment system.</li> </ul>
One (1) commenter objects to “doing away with alternative assessments for IDEA students.”	<ul style="list-style-type: none"> <li>• This comment is outside of the scope of the proposed rule. The rule does not address availability of alternative assessments to students with disabilities.</li> <li>• Testing accommodations under the Oklahoma School Testing Program are made available to students with disabilities as directed by their IEPs in accordance with the requirements of state and federal law.</li> </ul>
One (1) commenter asserts the comment period too short to allow for public involvement	<ul style="list-style-type: none"> <li>• The agency has provided for a comment period on this in excess of the 30-day period required by law.</li> </ul>
One (1) commenter inquired “how is the public suppose to be able to comment on these rule changes, when they are virtually impossible to understand.”	<ul style="list-style-type: none"> <li>• The complexity of the system is necessary to address the public’s concerns about fairness, accuracy and reliability.</li> <li>• The agency publishes technical assistance in accordance with the requirements of (g) of the rule.</li> </ul>

<p>One (1) commenter opposes A-F report card for school districts; criteria for evaluation far too vague and notification to districts regarding their status is inadequate and inconsistent.</p>	<ul style="list-style-type: none"> <li>• The agency disagrees that the criteria for evaluation is vague. Both the statute and the rule clearly set forth the criteria used to calculate A-F report cards.</li> <li>• The implementation of a bifurcated data review period will increase response consistency and timeliness.</li> </ul>
<p>One (1) commenter asserts proposed changes to the rules don't fix the problems; because rule would have to be amended again after the current legislature takes action on the statute, changes to the rules at this time would only serve to confuse the public and undermine the stated purpose of the accountability system.</p>	<ul style="list-style-type: none"> <li>• The agency has a duty to amend the rule to improve the overall implementation of the A-F grading system, separate from any subsequent legislative action.</li> <li>• The agency will implement, by emergency rule, any statutory changes implemented by the Legislature.</li> </ul>