OAR 581-22-0615: Assessment of Essential Skills

(1) Definitions. As used in this rule:

(a) "Assessment option" means an assessment approved to assess proficiency in the Essential Skills for the purpose of earning a high school diploma or a modified diploma.

(b) "Essential Skills" means process skills that cross academic disciplines and are embedded in the content standards. The skills are not content specific and can be applied in a variety of courses, subjects, and settings.

(c) "Local performance assessment" means a standardized measure (e.g., activity, exercise, problem, or work sample scored using an official state scoring guide), embedded in the school districts' and public charter schools' curriculum that evaluates the application of students' knowledge and skills.

(d) "Official state scoring guide" means an evaluation tool designed for scoring student work that includes specific, consistent assessment criteria for student performance and a 1-6 point scale to help rate student work. It is used by Oregon teachers to evaluate student work samples.

(e) "Student-initiated test impropriety" means student conduct that:

(A) Is inconsistent with:

(i) The Test Administration Manual; or

(ii) Accompanying guidelines; or

(B) Results in a score that is invalid.

(f) "Work sample" means a representative sample of individual student work (e.g., research papers, statistical experiments, speaking presentations, theatrical performances, work experience) that may cover one or more content areas and therefore may be scored using one or more official state scoring guide(s). At the high school level, a work sample can be used to fulfill both the local performance

assessment requirement described in Section 2 of this rule and the Essential Skills requirement described in Section 3 of this rule.

(2) School districts and public charter schools that offer grades 3 through 8 or high school shall administer local performance assessments for students in grades 3 through 8 and at least once in high school. For each skill area listed in section (18) of this rule, the assessments shall consist of:

(a) One work sample per grade scored using official state scoring guides; or

(b) Comparable measures adopted by the district.

(3) School districts and public charter schools shall require high school students to demonstrate proficiency in the Essential Skills using assessment options that are approved by the State Board of Education for the purpose of student eligibility for:

(a) The high school diploma as established in OAR 581-022-1130; or

(b) The modified diploma as established in OAR 581-022-1134.

(4) Pursuant to ORS 339.115 and 339.505, school districts and public charter schools shall provide any eligible student with instruction in and multiple assessment opportunities to demonstrate proficiency in the Essential Skills for the purpose of achieving the high school diploma or the modified diploma.

(5) To be eligible to receive a high school diploma or a modified diploma:

(a) For students first enrolled in grade 9 during the 2008-2009 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skill listed in section (17)(a) of this rule: Read and comprehend a variety of text.

(b) For students first enrolled in grade 9 during the 2009-2010 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in sections (17)(a)-(b) of this rule:

(A) Read and comprehend a variety of text; and

(B) Write clearly and accurately.

(c) For students first enrolled in grade 9 during the 2010-2011 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in section (17)(a)-(c) of this rule:

(A) Read and comprehend a variety of text;

(B) Write clearly and accurately; and

(C) Apply mathematics in a variety of settings.

(d) For students first enrolled in grade 9 during the 2011-2012 school year or first enrolled in grade 9 in any subsequent school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in Section (17)(a)–(c) of this rule and any additional Essential Skills for which:

(A) The State Board of Education has adopted the determination to phase in for inclusion in the high school diploma and modified diploma requirements; and

(B) The State Board of Education has adopted assessment options by March 1 of the student's 8th grade year.

(e) School districts and public charter schools may require students to demonstrate proficiency in additional Essential Skills beyond the minimum requirements described in section (5)(a)-(d) of this rule.

(6) The Superintendent of Public Instruction shall establish an Assessment of Essential Skills Review Panel (AESRP) to make recommendations on:

(a) The phasing in of Essential Skills for inclusion in the high school diploma and the modified diploma requirements;

(b) The adoption of assessment options to measure students' proficiency in the approved Essential Skills for the purpose of the high school diploma or the modified diploma; and

(c) The achievement standards used to determine student eligibility for the high school diploma or the modified diploma.

(7) The AESRP shall work toward the goal of a system with a high degree of technical adequacy and equivalent rigor between assessment options as practicable.

(8) The AESRP shall base its recommendations on evidence provided by:

(a) School districts;

(b) Research organizations; and

(c) Other experts.

(9) The AESRP shall consist of assessment experts from:

(a) School districts, including but not limited to:

(A) Superintendents;

(B) Principals;

(C) Curriculum Directors;

(D) Educators;

(E) Special education educators; and

(F) English Language Learners (ELL) educators;

(b) Post-secondary education institutions; and

(c) Business partners who have expertise in:

(A) Assessment design;

(B) Assessment administration; or

(C) Use of assessments

(**10)** The State Board of Education shall make the determination to adopt the AESRP's assessment options and achievement standards for the purpose of conferring high school diplomas and modified diplomas. The determination of the State Board of Education will be final and not subject to appeal.

(11) The ODE shall issue the State Board of Education's intentions regarding the AESRP's recommendations by December 15 of each year and formal notice of the State Board of Education's final determination regarding the AESRP's recommendations by March 1 of each year as an addendum to the Test Administration Manual, which the ODE shall issue by August 1 of each year.

(12) School districts and public charter schools shall adhere to the requirements set forth in the Test Administration Manual to:

(a) Administer;

(b) Score;

(c) Manage; and

(d) Document the district and school assessments of students' proficiency in the Essential Skills required to receive a high school diploma or a modified diploma.

(13) School districts and public charter schools shall establish conduct and discipline policies addressing student-initiated test impropriety.

(14) School districts and public charter schools shall allow students to use assessment options and achievement standards adopted by the State Board of Education in a student's ninth through twelfth grade years as follows:

(a) Students may demonstrate proficiency in the Essential Skills using assessment options adopted in their ninth through twelfth grade years.

(b) Students may use achievement standards adopted in their 9th through 12th grade years that are equal to or lower than the achievement standards approved as of March 1 of the students' 8th grade year.

(15) Districts may develop and administer a local assessment option for students to demonstrate proficiency in the Essential Skills, using established professional and technical

standards in place of the assessment options adopted by the State Board of Education as described in section 14 of this rule. Districts that choose this option are required to publish:

(a) A communication strategy to ensure stakeholders are notified of the district's approach to the local assessment option; and

(b) Materials written in plain language that contain descriptions of the

(A) Purpose of the assessment;

(B) Scoring methodology;

(C) Method by which students and parents will receive results from the assessment;

(D) Criteria for determining student proficiency using the assessment; and

(E) Criteria for determining which students will have access to the assessment.

(16) The ODE shall publish the subset of Essential Skills assessment options and the associated performance levels which may be used by each of Oregon's post-secondary institutions as defined by those institutions' policies provided to the ODE by October 15 of each year.

(17) The Essential Skills identified by the State Board of Education as of July 1, 2008 are as follows:

(a) Read and comprehend a variety of text;

(b) Write clearly and accurately;

(c) Apply mathematics in a variety of settings;

(d) Listen actively and speak clearly and coherently;

(e) Think critically and analytically;

(f) Use technology to learn, live, and work;

(g) Demonstrate civic and community engagement;

(h) Demonstrate global literacy; and

(i) Demonstrate personal management and teamwork skills.

(18) School districts and public charter schools shall include one or more local performance assessments for grades 3 through 8 and for high school for each of the following skill areas:

(a) Writing;

(b) Speaking;

(c) Mathematical problem-solving; and

(d) Scientific inquiry.

(19) School districts and public charter schools may include one social science analysis work sample that is administered in accordance with school district or public charter school policies as a local performance assessment for grades 3 through 8 and for high school.

(20) For students on an Individualized Education Plan (IEP) or 504 Plan, if a student's IEP or 504 Team determines that the nature of a student's disability prevents the student from demonstrating proficiency in an Essential Skill using any of the approved assessment options listed in the Test Administration Manual, the student's IEP Team may exempt the student from the requirement as listed in the Test Administration Manual and determine an appropriate replacement assessment option for the student to use that addresses the Essential Skill in a manner that is consistent with:

(a) The student's instructional plan; and

(b) The state assessment criteria adopted by the State Board of Education.

(21) For students seeking a modified diploma, school districts and public charter schools may modify the assessment options adopted by the State Board of Education when the following conditions are met:

(a) For students on IEP or 504 Plans:

(A) School districts and public charter schools must comply with all requirements established by the student's IEP or 504 Plan when implementing modifications for work samples;

(B) School districts and public charter schools must comply with OAR 581-022-0610 section (4)(d) when implementing modifications for a statewide assessment.

(b) For students not on IEP or 504 Plans:

(A) School districts and public charter schools may only implement modifications for work samples that are consistent with the modifications the student has received during instruction in the content area to be assessed in the year in which the work sample is administered.

(B) School districts and public charter schools must obtain approval from the school team responsible for monitoring the student's progress toward the modified diploma before implementing modifications for work samples.

(C) Consistent with OAR 581-022-0610, school districts and public charter schools may not implement modifications for statewide assessments for students who are not on an IEP or 504 Plan.

Stat. Auth.: ORS 329.451, 338.025, 339.115 & 339.505

Stats. Implemented: 329.045, 329.075, 329.451, 329.485 & 338.115

Hist.: ODE 17-2008, f. & cert. ef. 6-27-08; ODE 10-2009(Temp), f. & cert. ef. 9-1-09 thru 2-28-10; ODE 19-2009, f. & cert. ef. 12-10-09