OFFICE OF INSTRUCTIONAL PROGRAMS AND SERVICES
Summary of State Board of Education Agenda Items
August 20-21, 2009

Office of Student Assessment

12. Approval to begin the Administrative Procedures Act process: To revise State Board Policy 7610 "Subject Area Testing Appeals Process" regarding Section II: Appeal for a Substitute Evaluation Process and to change the name to Section II to Appeal for an Alternative Assessment as a Substitute Evaluation

Mississippi State Board policy 3800 outlines the graduation requirement that Mississippi students pass certain end-of-course Subject Area Tests. Students are allowed to retest for the purpose of meeting the graduation requirement several times throughout the remainder of their high school careers until they achieve a passing score: however, not all students attain a passing score through the standardized test administrations.

State Board policy 7610, Section II states "When a student, parent, or district personnel has reason to believe that a student has mastered the subject area curriculum but is unable to demonstrate mastery on the standard statewide assessment, an appeal for a substitute evaluation process may be made." The current process involves a student, parent, or district personnel submitting a statement and evidence, which is reviewed locally and sent to the Mississippi Department of Education for a review and ruling. However, the evidence submitted has often been inadequate to support the claim of student mastery.

In order to ensure that the needs and rights of students who likely can demonstrate an acceptable level of mastery despite performance on standardized tests are met in a more quantitative process, the Department requests the State Board consider the following enhancements and revisions to the policy. These changes would bring this process into alignment with the standardized portfolio evaluation provided for other students, including a review by a committee of subject area teachers.

(a) The Appeal for an Alternative Assessment as a Substitute Evaluation may not begin until a student has scored within one scale score point of the passing cut score on the same subject area content test on any three separate occasions (i.e., initial test, first retest, second retest, or any other combination) and has participated in remediation designed to assist students in passing the appropriate subject area test.

(b) The student or parent may request an appeal to be initiated by a teacher, or a teacher may initiate an appeal. The teacher may deny a request from a student or parent if, in the teacher's professional opinion, there is no basis for the appeal. The student's teacher for the specific subject area course or a course in the same content at a higher level must be the teacher involved in the appeal process. To initiate an appeal the teacher must confirm the student has met the testing criteria outlined above and then submit a

portfolio of student work that demonstrates the student's mastery of the course content accompanied by a letter of recommendation to the principal of the student's school.

(c) This portfolio will consist of documentation that supports student mastery at the expectation defined by the curriculum framework and will be submitted in accordance with the requirements for the Alternative Assessment for Subject Area Tests, a process available only to students with an IEP. The composition of the evidence portfolio must address the course-specific framework competencies and objectives for the relevant subject area test.

(d) The teacher must sign the Ethics in Data Collection Form for the Appeal for an Alternative Assessment as a Substitute Evaluation to accompany the portfolio.

(e) The teacher's letter of recommendation, the portfolio, and the Ethics in Data Collection Form must be reviewed and agreed to as accurate by the school principal and district superintendent. If the portfolio is found not to substantiate the appeal, the appeal may be denied by the principal and/or district superintendent. If the principal and superintendent support the appeal, they must also sign the Ethics in Data Collection Form.

(f) If the appeal is approved by the superintendent, the district test coordinator will then review the appeal and verify that all requirements of the Appeal for an Alternative Assessment as a Substitute Evaluation have been met. The district test coordinator will submit the student portfolio including the teacher's letter of recommendation and the Ethics in Data Collection Form, which the district test coordinator must also sign, to the Office of Student Assessment by March 30 in the year that the student is anticipated to graduate or at any time following the student's meeting criterion (a).

(g) If the results of the review of the portfolio determine that the student has demonstrated mastery of the curriculum, a passing score will be substituted for a failing score on the standard statewide subject area test, and the Mississippi Department of Education will bear the cost associated with the review.

(h) If the results of the review of the portfolio do not determine that the student has demonstrated mastery of the curriculum, the student must continue participating in subsequent standard statewide assessment administrations. In this case, the costs associated with the review of the portfolio will be borne by the school district that submitted the appeal.

(i) If the Appeal for an Alternative Assessment as a Substitute Evaluation is denied and the student continues to participate in subsequent standard statewide assessment administrations, the teacher may again initiate an appeal, or a student or parent may request another appeal, following any subsequent retest opportunity that results in the student's again scoring within one scale score point of the passing cut score.

Back-up material attached

Recommendation: Approval

DESCRIPTOR TERM:	CODE:
Subject Area Testing Program Appeals Process	**7610**
ADOPTION DATE:	REVISION:
June 15, 2001	

I. Appeal for Rescoring

When a student, parent, or district personnel has reason to believe that, due to a scoring error, a student who did not pass a Subject Area Test should have passed the test, an appeal for rescoring may be made.

Process:

1. The student, parent or district personnel must submit a written statement with supporting information outlining why the applicant thinks he/she should have passed the test.
2. The initial appeal is submitted at the local level for determination of merit.
3. A local decision is made to forward the appeal to the state level for consideration or to deny the appeal.
4. If the appeal is denied at the local level, the appeal can be submitted directly to the state level for consideration.
5. Direct appeals and appeals forwarded from the local level are considered at the state level, and a decision is made to grant the appeal or to deny it.
6. Any request for rescoring must be submitted no later than one calendar year from the time of the receipt of score reports in the district.
7. If the rescoring determines that a scoring error occurred that results in the student passing the test, the testing company will bear the cost of the rescoring. If the rescoring does not determine that a scoring error occurred, the costs associated with rescoring will be borne by the school district in which the student took the test in question.

II. Appeal for a Substitute Evaluation Process

When a student, parent, or district personnel has reason to believe that a student has mastered the subject area curriculum but is unable to demonstrate mastery on the standard statewide Subject Area Test, an appeal for a substitute evaluation process may be made.

Criteria for Submitting an Appeal:

The student either passed the course but failed the Subject Area Test, or the student failed the Subject Area Test during a subsequent retest.

Appeals Process:

1. The student, parent or district personnel must submit a written statement with

supporting evidence indicating that the student has mastered the subject area curriculum and outlining reasons the student might be successful with a substitute evaluation.

2. The initial appeal is submitted at the local level for determination of merit.
3. A local decision is made to forward the appeal to the state level for consideration or to deny the appeal.
4. If the appeal is denied at the local level, the appeal can be submitted directly to the state level for consideration.
5. Direct appeals and appeals forwarded from the local level are considered at the state level, and a decision is made to grant the appeal or to deny it.
6. If the appeal is granted, the Mississippi Department of Education will assess the substitute evaluation to determine if the student demonstrates mastery of the subject area curriculum.
7. If the results of the substitute evaluation determine that the student has demonstrated mastery of the curriculum, a passing score will be substituted for a failing score on the standard statewide Subject Area Test, and the Mississippi Department of Education will bear the cost associated with the substitute evaluation.

If the results of the substitute evaluation do not determine that the student has demonstrated mastery of the curriculum, the student must continue participating in subsequent standard statewide testing. The costs associated with the administration and scoring of the substitute evaluation will be borne by the school district in which the student took the test in question.