

# APPENDIX K – REQUIREMENTS FOR ASSESSMENT OF ESSENTIAL SKILLS

## March 1, 2013 Update

ODE has made the following updates to Appendix K: (1) added definitions of the Essential Skills; (2) reorganized the Assessment Options section around assessment types for greater clarity; (3) added ACT as a writing assessment option; (4) updated writing work sample assessment option; and (5) reformatted text from paragraphs into tables for greater clarity.

## Introduction to the Essential Skills

Oregon Administrative Rule (OAR) 581-022-0615: Assessment of Essential Skills (revised in June 2011) clarifies that students who are receiving a regular or modified high school diploma are required to demonstrate proficiency in the Essential Skills based on the school year in which they were first enrolled in Grade 9.

The Essential Skills are cross-disciplinary skills necessary for student success after high school. They are not, in themselves, sufficient for student success after high school. Many additional areas of knowledge, skills, and abilities are required for success in the transition after high school, with the exact skills dependent upon the path a student is interested in pursuing. The skills are being incrementally added to the graduation requirements to ensure that Oregon students graduate with the skills necessary to be successful in their college and career pursuits.

The State Board of Education voted to implement the proficiency requirement for the Essential Skills on a roll-out schedule described in the tables below. There are nine Essential Skills; the first three are already incorporated into the graduation requirements, with the specific requirements determined by the year the student first enrolled in Grade 9.

Definitions and Graduation Requirements Timeline

Essential Skill Definitions and Timeline	Requirement for students first enrolled in Grade 9 in:
<p><b>1. Read and comprehend a variety of text*</b></p> <ul style="list-style-type: none"> <li>• Demonstrate the ability to read and understand text.*</li> <li>• Summarize and critically analyze key points of text,* events, issues, phenomena or problems, distinguishing factual from non-factual and literal from inferential elements.</li> <li>• Interpret significant ideas and themes, including those conveyed through figurative language and use of symbols.</li> <li>• Follow instructions from informational or technical text* to perform a task, answer questions, and solve problems.</li> </ul> <p><i>*Text includes but is not limited to all forms of written material, communications, media, and other representations in words, numbers, and graphics and visual displays using traditional and technological formats</i></p>	<p>2008-2009 and beyond</p>
<p><b>2. Write clearly and accurately</b></p> <ul style="list-style-type: none"> <li>• Adapt writing to different audiences, purposes, and contexts in a variety of formats and media, using appropriate technology.</li> <li>• Develop organized, well-reasoned, supported, and focused communications.</li> <li>• Write to explain, summarize, inform, and persuade, including business, professional, technical, and personal communications.</li> <li>• Use appropriate conventions to write clearly and coherently, including correct use of grammar, punctuation, capitalization, spelling, sentence construction, and formatting.</li> </ul>	<p>2009-2010 and beyond</p>
<p><b>3. Apply mathematics in a variety of settings</b></p> <ul style="list-style-type: none"> <li>• Interpret a situation and apply workable mathematical concepts and strategies, using appropriate technologies where applicable.</li> <li>• Produce evidence, such as graphs, data, or mathematical models, to obtain and verify a solution.</li> <li>• Communicate and defend the verified process and solution, using pictures, symbols, models, narrative or other methods.</li> </ul>	<p>2010-2011 and beyond</p>
<p><b>4. Listen actively and speak clearly and coherently</b></p> <ul style="list-style-type: none"> <li>• Listen actively to understand verbal and non-verbal communication.</li> <li>• Give and follow spoken instructions to perform a task, ask and answer questions, and solve problems.</li> <li>• Present or discuss ideas clearly, effectively, and coherently, using both verbal and nonverbal techniques.</li> <li>• Use language appropriate to particular audiences and contexts.</li> </ul>	<p>Student cohorts beyond 2013-2014 may also be accountable for the additional Essential Skills.</p>

Essential Skill Definitions and Timeline	Requirement for students first enrolled in Grade 9 in:
<p><b>5. Think critically and analytically</b></p> <ul style="list-style-type: none"> <li>• Identify and explain the key elements of a complex event, text*, issue, problem or phenomenon.</li> <li>• Develop a method to explore the relationships between the key elements of a complex event, text*, issue, problem or phenomenon.</li> <li>• Gather, question and evaluate the quality of information from multiple primary and secondary sources.</li> <li>• Propose defensible conclusions that address multiple and diverse perspectives.</li> <li>• Evaluate the strength of conclusions, differentiating reasoning based on facts from reasoning based on opinions.</li> </ul>	<p>Additional Essential Skills graduation requirements must be approved by the State Board of Education by March 1st of the students' 8th grade year.</p>
<p><b>6. Use technology to learn, live, and work</b></p> <ul style="list-style-type: none"> <li>• Use creativity and innovation to generate ideas, products, or processes using current technology.</li> <li>• Use technology to participate in a broader community through networking, collaboration and learning.</li> <li>• Recognize and practice legal and responsible behavior in the use and access of information and technology.</li> <li>• Use technology as a tool to access, research, manage, integrate, and communicate ideas and information.</li> </ul>	<p>Student cohorts beyond 2013-2014 may also be accountable for the additional Essential Skills.</p>
<p><b>7. Demonstrate civic and community engagement</b></p> <ul style="list-style-type: none"> <li>• Apply knowledge of local, state, and U.S. history and government to explain current social and political issues.</li> <li>• Perform the civic and community responsibilities essential to living in a representative democracy.</li> </ul>	
<p><b>8. Demonstrate global literacy</b></p> <ul style="list-style-type: none"> <li>• Demonstrate knowledge of diverse cultural, linguistic, and artistic expressions.</li> <li>• Apply a global perspective to analyze contemporary and historical issues.</li> </ul>	<p>Additional Essential Skills graduation requirements must be approved by the State Board of Education by March 1st of the students' 8th grade year.</p>
<p><b>9. Demonstrate personal management and teamwork skills</b></p> <ul style="list-style-type: none"> <li>• Participate cooperatively and productively in work teams to identify and solve problems.</li> <li>• Display initiative and demonstrate respect for other team members to complete tasks.</li> <li>• Plan, organize, and complete assigned tasks accurately and on time.</li> <li>• Exhibit work ethic and performance, including the ability to be responsible and dependable.</li> </ul>	<p>Additional Essential Skills graduation requirements must be approved by the State Board of Education by March 1st of the students' 8th grade year.</p>

<b>Graduation Requirements by Cohort</b>			
<b>Students first enrolled in Grade 9 in</b>	<b>1. Read and comprehend a variety of text</b>	<b>2. Write clearly and accurately</b>	<b>3. Apply mathematics in a variety of settings</b>
<b>2008-2009</b>	Required		
<b>2009-2010</b>	Required	Required	
<b>2010-2011 and beyond</b>	Required	Required	Required

Students may demonstrate proficiency in the required Essential Skills using any of the assessment options and corresponding achievement standards included in the following section.

For more information, ODE’s website includes helpful links related to the Assessment of Essential Skills (see <http://www.ode.state.or.us/search/page/?=2042>). In addition, ODE has created an Essential Skills Toolkit (available at <http://assessment.oregonk-12.net>) to assist districts in planning an assessment system for the Essential Skills that meets the requirements for an Oregon diploma. Future sections of the Toolkit will address issues in implementing and sustaining an assessment system.

## Assessment Options

### Approved Assessment Options

While the State Board of Education may either raise or lower the achievement standards for future graduating classes, the required proficiency level for each Essential Skill will be no higher than the achievement standards in place when the student first enrolls in Grade 9. Students may use achievement standards adopted in their 9<sup>th</sup> through 12<sup>th</sup> grade years that are equal to or lower than the achievement standards approved as of March 1<sup>st</sup> of the student’s 8<sup>th</sup> grade year.

<b>Approved Assessment Types</b>
Oregon’s Standardized Assessment (OAKS)
Other Standardized Assessment
Work Samples

**Note:** Only Oregon’s standardized assessment (OAKS) is valid for federal school and district accountability; results from other standardized assessments, work samples, or modified versions of the OAKS are not valid for federal accountability.

Districts may choose to offer students only a subset of the approved assessment options. However, if a student chooses to use one of the other standardized assessments and it is not offered by the district, the district must accept an official score for that assessment option. For instance, if a district does not offer the ACT as an option for all of its students but an individual student chooses to take the ACT, the student may still use the ACT to meet an Essential Skill requirement. Similarly, if a student takes the ASSET while enrolled in one district and then transfers to another district that does not offer the ASSET, the student may still use the ASSET to meet an Essential Skills requirement.

The table below summarizes the approved assessment options available as of March 1, 2013.

Assessment Options, Types, and Achievement Standards

<i>ONLY ONE ASSESSMENT IS REQUIRED PER ESSENTIAL SKILL</i>			
<b>Essential Skill</b>	<b>Assessment Type</b>	<b>Assessment Options</b>	<b>Achievement Standard</b>
<b>1. Read and comprehend a variety of text</b>	Oregon's Standardized Assessment	Oregon Assessment of Knowledge and Skills (OAKS) Reading Assessment	236
	Other Standardized Assessment	ACT	18
		PLAN	18
		Work Keys	5
		Compass	81
		ASSET	42
		SAT	440
		PSAT	44
		AP European History Exam	3
		AP English Literature & Composition Exam	3
		AP Macroeconomics Exam	3
		AP Microeconomics Exam	3
		AP Psychology Exam	3
		AP United States History Exam	3
		AP World History Exam	3
		AP United States Government & Politics Exam	3
AP Comparative Government & Politics Exam	3		
IB English Language Exam	4		

<i>ONLY ONE ASSESSMENT IS REQUIRED PER ESSENTIAL SKILL</i>			
Essential Skill	Assessment Type	Assessment Options	Achievement Standard
		IB History of Americas Exam	4
		IB History of Europe Exam	4
		IB 20 <sup>th</sup> Century Topics Exam	4
		IB Economics Exam	4
		IB Psychology Exam	4
		IB Social Anthropology Exam	4
	Accuplacer Reading Comprehension Assessment	86	
	Work Samples	<p>2 Work Samples:</p> <ul style="list-style-type: none"> <li>• One must be informational;</li> <li>• One may either be informational or literary</li> </ul>	<p>For each Work Sample, Composite Score of 12, with no Trait lower than 3.</p> <p><i>Traits:</i></p> <ul style="list-style-type: none"> <li>• Demonstrate General Understanding</li> <li>• Develop an Interpretation</li> <li>• Analyze Text</li> </ul>
<b>2. Write clearly and accurately</b>	Oregon's Standardized Assessment	OAKS Writing Performance Assessment	40 Composite score; minimum of 4 on each of the four required traits.
	Other Standardized Assessment	SAT Writing*	460
		ACT Writing**	19
		Work Samples	<p>2 Work Samples:</p> <ul style="list-style-type: none"> <li>• One must be expository or persuasive</li> <li>• One in any of the approved modes (expository, persuasive, narrative)</li> </ul>

<i>ONLY ONE ASSESSMENT IS REQUIRED PER ESSENTIAL SKILL</i>			
Essential Skill	Assessment Type	Assessment Options	Achievement Standard
<b>3. Apply mathematics in a variety of settings</b>	Oregon's Standardized Assessment	OAKS Mathematics Assessment	236
	Other Standardized Assessment	ACT	19
		PLAN	19
		Work Keys	5
		Compass	66 (Intermediate Algebra Test)
		ASSET	41 (Intermediate Algebra Test)
		SAT	450
		PSAT	45
		AP Statistics Exam	3
		AP Calculus AB Exam	3
		AP Calculus BC Exam	3
		IB Mathematics SL Exam	4
		IB Mathematics HL Exam	4
		IB Math Studies Exam	4
	Work Samples	2 Work Samples:  One each for any two of the required content strands (Algebra, Geometry, or Statistics)	Minimum score of 4 in all Process Dimensions.  <i>Process Dimensions:</i>  <ul style="list-style-type: none"> <li>• Making Sense of the Task</li> <li>• Representing and Solving the Task</li> <li>• Communicating Reasoning</li> <li>• Accuracy</li> <li>• Reflecting and Evaluating</li> </ul>

\* *SAT Writing refers to the Writing section of the SAT (49 selected response questions and a timed, 25-minute essay).*

\*\* *ACT Writing refers to the combined English/Writing test (75 selected response questions and a timed, 30-minute essay).*

## Local Assessment Option

In addition, OAR 581-022-0615: Assessment of Essential Skills, as revised in June 2011, establishes requirements for districts that choose to develop and administer a local assessment option for students to demonstrate proficiency in the Essential Skills.

### **Districts who use the Local Assessment Option must:**

1. Use established professional and technical standards in place of the assessment options adopted by the State Board (as described in Section 14 of OAR 581-022-0615, included at end of Appendix).
2. Publish required materials on district website, including descriptions of:
  - 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.
3. Develop a communication strategy to ensure:
  - a. Stakeholders are notified of the district's approach to the local assessment option, including aware of published materials; and
  - b. All published materials are written in plain language.

## Proposing New Assessment Options

Additionally, students may use new assessment options as they are approved by the State Board of Education. The Assessment of Essential Skills Review Panel (AESRP) will provide the State Board of Education with recommendations regarding the phase-in of additional assessment options to demonstrate proficiency in the Essential Skills.

AESRP is composed of 28 members representing K-12 education, post-secondary institutions, and business/industry. The panel reviews and recommends additions or changes to the list of approved Essential Skills assessment options, basing their recommendation on evidence provided by research organizations and other experts that the proposed assessment option accurately measures the Essential Skill. For more information about the AESRP, please visit: <http://www.ode.state.or.us/go/AESRP>.

## March Addendum

In accordance with OAR 581-022-0615 Assessment of Essential Skills, should the State Board adopt any new Essential Skills graduation requirements that would impact current 8th graders, ODE will issue these additional Essential Skills requirements by March 1, 2013.

## Administration Conditions and Documentation of Student Scores

### Administration

When assessing Essential Skills through an approved standardized assessment option, school and district staff across Oregon must use the same test administration procedures, and all test items, test materials and student level testing information must be handled in a secure manner as described in [Part IV - Test Security](#). When assessing Essential Skills through Work Samples, school and district staff must follow the requirements described in [Appendix M – Work Samples and State Scoring Guides](#).

### Documentation

Districts must retain documentation of student scores for all assessment options eligible for use in meeting the Essential Skills graduation requirement through the time a student exits the public school system. Although it is not required, ODE strongly recommends that districts develop a policy regarding the retention of student work and student performance data to ensure that sufficient evidence is available in the event of a student appeal. The Assessment of Essential Skills Toolkit (available online at <http://estoolkit.orvsd.org/>) provides resources and sample policies, in partnership with the Oregon School Boards Association (OSBA), to aide districts in developing local policies.

### Student Appeals

Districts must develop a process allowing students to appeal the district decision to deny a high school diploma based on the Essential Skills graduation requirement. The Assessment of Essential Skills Toolkit (available online at <http://estoolkit.orvsd.org/>) provides information on this policy. This process must address both the invalidation of an assessment based on an impropriety or, for locally-administered assessments such as Work Samples, the score received on the assessment.

**It may be helpful for districts to address the following considerations when establishing a student appeals process:**

- Whether to establish a set window of time in which a student may appeal
- How to notify students of the appeals process
- Whether to retain documentation of student work (beyond the student score) at the school or district level or whether to return the student work to the student upon completion of the assessment
- Eligibility criteria (e.g., grade of enrollment, other available assessment options)

## Special Populations

### English Language Learners

On December 9, 2010, the State Board voted to adopt OAR 581-022-0617: Essential Skill Assessments for English Language Learners (ELLs), which requires school districts and public charter schools to adopt a policy whether to allow eligible ELL students to demonstrate proficiency in the Essential Skills in the students’ language of origin, if they meet specific criteria (also identified in the OAR). These students must be able to meet all other graduation requirements, including credit completion, in order to graduate under this option.

**The requirements set forth in OAR 581-022-0617 are as follows:**

- Eligibility for demonstrating proficiency in their language of origin varies based on the Essential Skill; to qualify for demonstrating proficiency in their language of origin students must meet the appropriate criteria for the Essential Skill (see Table 5 and Table 6).
- School districts and public charter schools must adopt a policy whether to allow ELL students to demonstrate proficiency in their language of origin for each of the Essential Skills.
- The rigor of Essential Skills assessments offered to eligible ELL students in their language of origin must be equal to the rigor of assessment options available in the English language.

### ELL students and Apply Math Essential Skill

Student Qualifications for Demonstrating Proficiency in Their Language of Origin for “Apply mathematics in a variety of settings”	
By the end of their 11 <sup>th</sup> grade year, the ELL student:	
✓	Is on track to meet all other graduation requirements
✓	Is unable to demonstrate proficiency in the Essential Skills in English

### ELL students and Reading and Writing Essential Skills

Student Qualifications for Demonstrating Proficiency in Their Language of Origin for “Read and comprehend a variety of text” and “Write clearly and accurately”	
By the end of their 11 <sup>th</sup> grade year, the ELL student:	
✓	Is on track to meet all other graduation requirement
✓	Is unable to demonstrate proficiency in the Essential Skills in English
✓	Has been enrolled in a U.S. schools for five (5) years or less

✓	Has demonstrated sufficient English language skills using an English language proficiency assessment option that is approved by the State Board of Education (see below)
	<p><b>Approved English Language Proficiency Assessment Option</b></p> <p>The only English language proficiency assessment option currently approved by the State Board (as is the Oregon’s English Language Proficiency Assessment (ELPA) and a student must receive at least a 3 on the ELPA by graduation. Districts are not required to document evidence of a student’s achievement level of at least a 3 on the ELPA prior to offering an assessment in the student’s language of origin.</p> <p><i>To provide districts with greater flexibility, ODE will work with stakeholders to investigate additional options for students to demonstrate their English proficiency.</i></p> <p><b>Reasoning</b></p> <p>These requirements ensure that the policy is limited to those students who have not yet had sufficient time to fully master academic English but who have gained sufficient English skills to pursue their next steps (college, community-college, or workforce training).</p>

To provide guidance to districts on implementing this policy for eligible ELL students, the State Board adopted OAR 581-022-0617: Essential Skill Assessments for English Language Learners in December 2010. This OAR is included at the end of this Appendix.

### Students with Disabilities

The most appropriate method for a student with disabilities to participate in the Assessment of Essential Skills is determined by the student’s Individualized Education Program (IEP) team. Each student’s needs must be considered individually and not merely on the basis of his or her disability category.

If a student’s IEP 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 Table 4 above, the student’s IEP Team may exempt the student from the approved assessments and determine an appropriate replacement assessment option based on an equivalent level of rigor that addresses the Essential Skill in a format that is consistent with the student’s instructional plan.

**Note:** Consistent with OAR 581-022-0612: Exception of Students with Disabilities from State Assessment Testing, a district may not exempt a student with disabilities from participating in the Essential Skills graduation requirement based on the student’s disability unless the student’s parent requests the exemption in writing from the district. Replacement assessment options must be considered only in rare instances where the nature of a student’s disability strictly precludes them from responding in the required mode of the assessment.

Regarding students seeking a Modified Diploma, Section 20 of OAR 581-022-0615: Assessment of Essential Skills clarifies that, students seeking a Modified Diploma must meet the Essential Skills requirement. As described in OAR 581-022-0610: Administration of State Tests, Modifications, Pursuant to State and Federal Law, school districts and public charter schools may modify the achievement level, construct, or measured outcome of the OAKS or Work Sample Essential Skill assessment options for students on IEP or 504 Plans. For students NOT on IEP or 504 Plans, the modifications are limited to the Work Sample assessment options.

Additional guidance, including student eligibility criteria for the Modified Diploma, is included in Memorandum No. 010-2009-10 – Modified Diploma and the Essential Skills (available at <http://www.ode.state.or.us/news/announcements/announcement.aspx?5441>).

### Essential Skills Assessment Modifications

	Students on an IEPs or 504 Plan	Students <u>not</u> on an IEP or a 504 Plan
Which assessment may be modified?	<ul style="list-style-type: none"> <li>• Work Samples</li> <li>• OAKS</li> </ul>	<ul style="list-style-type: none"> <li>• Work Samples</li> </ul>
The modifications must be:	<ul style="list-style-type: none"> <li>• Consistent with the requirements of the student’s IEP or 504 Plan</li> <li>• In compliance with section 4(d) of OAR 581-022-0610: Administration of State Tests.</li> <li>• Appropriately explained and documented as necessary in order to ensure that these students receive equitable educational opportunities and individualized instruction (Pursuant to State and Federal Law, 34 CFR 300.320(6)(i) and (ii))</li> </ul>	<ul style="list-style-type: none"> <li>• Consistent with the modifications the student has received during instruction.</li> <li>• Same as the modifications the student received during instruction in the content area to be assessed and in the year in which the work sample is administered.</li> <li>• These modifications must be approved in advance by the student’s school team responsible for monitoring the student’s progress.</li> </ul>
Are these assessments valid for federal school and district accountability?	<ul style="list-style-type: none"> <li>• No, modified OAKS assessments are not.</li> <li>• No, modified Work Samples (modified or not) are not.</li> </ul>	<ul style="list-style-type: none"> <li>• No, modified Work Samples (modified or not) are not.</li> </ul>

## **Administrative Rules Related to the Essential Skills**

### **581-022-0615: Assessment of Essential Skills (Adopted June 2011)**

(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

### **OAR 581-022-0617: Essential Skill Assessments for English Language Learners (Adopted December 2010)**

(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) “English Language Learner” (ELL) means a student who meets the definition of “Limited English Proficient” found in Title IX, Part A, Section 9101.25 of the No Child Left Behind Act of 2001 (NCLB).

(c) “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.

(d) “Qualified Rater” means any individual who is:

(i) Trained to a high degree of proficiency in scoring the assessment administered to the student; and

(ii) Endorsed by the school district or public charter school, consistent with local school board policy, as proficient in the student’s language of origin for the purposes of accurately scoring the student’s work in the student’s language of origin.

(2) Consistent with OAR 581-022-0615, school districts and public charter schools must adopt a policy whether to allow ELL students to demonstrate proficiency in the Essential Skill of “Apply mathematics in a variety of settings” in the students’ language of origin for those ELL students who by the end of their 11th grade year:

(a) Are on track to meet all other graduation requirements; and

(b) Are unable to demonstrate proficiency in the Essential Skills in English.

(3) Consistent with OAR 581-022-0615, school districts and public charter schools must adopt a policy whether to allow ELL students to demonstrate proficiency in Essential Skills other than “Apply mathematics in a variety of settings” in the students’ language of origin for those ELL students who by the end of their 11th grade year:

(a) Meet the criteria in Section 2(a)-(b) of this rule;

- (b) Have been enrolled in a U.S. school for five (5) years or less; and
  - (c) Have demonstrated sufficient English language skills using an English language proficiency assessment option that is approved by the State Board of Education. ODE will issue final notice of the State Board of Education’s adoption of English language proficiency assessment options by March 1 of each year as an addendum to the Test Administration Manual.
- (4) If a school district or public charter school adopts a policy allowing ELL students to demonstrate proficiency in the Essential skills in the students’ language of origin under Sections 2 and 3 of this rule, that policy must include the following:
- (a) Development of a procedure to provide assessment options as described in the Test Administration Manual in the ELL students’ language of origin for those ELL students who meet the criteria in Section 2(a)-(b) of this rule.
  - (b) Development of a procedure to ensure that locally scored assessment options administered in an ELL student’s language of origin are scored by a qualified rater.

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

Stats. Implemented: 329.045, 329.075, 329.485, and 338.115