

OFFICE OF CHIEF SCHOOL PERFORMANCE OFFICER
Summary of State Board of Education Agenda Items
April 16-17, 2015

OFFICE OF ACCREDITATION

05. Approval to revise State Board of Education policies related to graduation requirements

(Has cleared the Administrative Procedures Act process with public comments)

- I. On Wednesday, March 18, 2015, the Commission on School Accreditation approved proposed revisions to the following State Board of Education policies:
 - A. State Board Policy 3801 – Policies for Subject Area Testing
 - B. State Board Policy 3802 – Policies for Carnegie Unit Credit
 - C. State Board Policy 3803 – Assessments Required for Graduation
- II. Background information related to the current State Board of Education policies regarding graduation requirements:

The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education in accordance with MS Code 37-16-7, State Board Policies 3801, 3802, and 3803 as outlined in Process Standard 14, of the *Mississippi Public School Accountability Standards, 2014*.

Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A of the *Mississippi Public School Accountability Standards, 2014* and State Board Policies 2902 and 2903. Students receiving a standard diploma may select from four (4) graduation pathways as specified by the local school district's graduation requirements (Process Standard 14.1).

Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations in accordance with MS Code 37-16-7 and State Board Policies 3801, and 3803 (Process Standard 14.2).

The graduation requirements for Carnegie Unit credit and passing of the four (4) subject area tests in Algebra I, Biology I, English II, and U.S. History are graduation requirements independent of one another.

As outlined in State Board Policy 3803, end-of-course Subject Area Tests were phased in beginning with the 2001-2002 school year to replace the Functional Literacy Examination (FLE). Students who enrolled in 9th grade in 2003-2004

and each year thereafter are required to earn a passing score on all required end-of-course subject area tests in order to earn a high school diploma.

In addition to meeting graduation requirements, the four end-of-course Subject Area Tests are required in the Mississippi Statewide Accountability System for schools with Grade 12.

III. The Commission on School Accreditation approved the following proposed revisions to State Board of Education Policies 3801, 3802, and 3803, as recommended by Mississippi Department of Education (MDE) staff:

- 1) **3801: Policies for Subject Area Testing:** Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on a Concordance Table as outlined in State Board Policy 3803.
- 2) **3802: Policies for Carnegie Unit Credit:**
 - a. Remove redundancy from items and revise terminology
 - b. Requires all students enrolled in one of the four end-of-course Subject Area Test courses to participate in the applicable Subject Area Test in order to earn the Carnegie Unit.
- 3) **3803: Assessments Required for Graduation:** Remove passing an end-of-course Subject Area Test as a requirement for graduation and incorporate the score on the applicable assessment into the final grade in the course.
 - a. All students enrolled in one of the four end-of-course Subject Area Test courses must participate in the applicable Subject Area Test in order to earn the Carnegie Unit.
 - b. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting one of the following options:
 - Passing the applicable end-of-course Subject Area Test
 - Using options outlined in State Board Policy 3804
 - Using the end-of-course Subject Area Test score with the overall course grade based on the Concordance Table for each of the four end-of-course Subject Area Tests as provided to school districts by the Mississippi Department of Education. (Students must be enrolled in order to utilize this option.)
 - c. Beginning with school year 2015-2016, in addition to “b” above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.

- d. Beginning with school year 2016-2017, all students enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student's final grade in the course.
- e. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

The proposed revisions to State Board Policies 3801, 3802, and 3803 will add additional options for students to meet all graduation requirements. In addition, the SATP3 (PARCC assessment) is being administered during the 2014-2015 school year in Algebra I and English II. The MDE has entered the procurement process for the selection of a vendor to provide end-of-course assessments for the 2015-2016 school year and thereafter.

The MDE will continue to provide re-test opportunities for each of the end-of-course subject area tests to students by administering the legacy assessments that include FLE, SATP1, SATP2, SATP3 (PARCC), and MWAP3. The legacy assessments are required by MS Code 37-16-15 for students who do not meet the applicable options outlined in State Board Policy 3804.


The temporary and final action is necessary to implement the policy revisions for the 2014-2015 school year immediately upon its filing with the Secretary of State in accordance with Section 25-43-3.113(2)(b)(ii) of the *Mississippi Code of 1972*, as amended. For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

Recommendation: Approval

Back-up material attached

MEMORANDUM

To: School District Superintendents
School District Principals
Other Interested Parties

From: Paula A. Vanderford, Ph.D.
Executive Director 

Date: March 20, 2015

Subject: **Proposed Revisions to State Board of Education Policies related to Graduation Requirements**

Today, March 20, 2015, the State Board of Education (SBE) granted approval of a temporary rule and to begin the Administrative Procedures Act (APA) Process to revise State Board of Education policies related to graduation requirements.

The proposed revisions are related to the following State Board of Education Policies and will add additional options for students to meet all graduation requirements:

- 1) State Board Policy 3801 – *Policies for Subject Area Testing*
- 2) State Board Policy 3802 – *Policies for Carnegie Unit Credit*
- 3) State Board Policy 3803 – *Assessments Required for Graduation*

The proposed policies are attached for your review. The following is a summary of the proposed revisions related to each of the State Board Policies:

- 1) **SB Policy 3801: *Policies for Subject Area Testing*:** Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on a Concordance Table as outlined in State Board Policy 3803.
- 2) **SB Policy 3802: *Policies for Carnegie Unit Credit*:** Remove redundancy from items and revise terminology
- 3) **SB Policy 3803: *Assessments Required for Graduation*:** Remove passing an end-of-course Subject Area Test as a requirement for graduation and incorporate the score on the applicable assessment into the final grade in the course.
 - a. All students enrolled in one (1) of the four (4) end-of-course Subject Area Test courses must participate in the applicable Subject Area Test in order to earn the Carnegie Unit.

- b. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting one (1) of the following options:
 - Passing the applicable end-of-course Subject Area Test
 - Using options outlined in State Board Policy 3804
 - Using the end-of-course Subject Area Test score with the overall course grade (Students must be enrolled in order to utilize this option.)
- c. Beginning with school year 2015-2016, in addition to “b” above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.
- d. Beginning with school year 2016-2017, all students enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student’s final grade in the course.
- e. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

The temporary and final action is necessary to implement the policy revisions for the 2014-2015 school year immediately upon its filing with the Secretary of State in accordance with Section 25-43-3.113(2)(b)(ii) of the *Mississippi Code of 1972*, as amended. For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

A webinar, *Proposed Changes to the Graduation Options under State Board Policy 3803*, will be held on March 30, 2015, at 3:30 p.m. This webinar will be provided during the APA process and will include an overview of the proposed policy revisions related to graduation requirements. You may register at <https://attendee.gotowebinar.com/register/5801243615749576193>. Also, regional face-to-face meetings will be scheduled immediately following the APA process and final SBE approval on April 17, 2015.

Please submit written comments to Paula A. Vanderford, Executive Director, Office of Accreditation and Accountability, Post Office Box 771, Jackson, Mississippi 39205-0771. You may also submit comments in writing by e-mail (accountability@mde.k12.ms.us), or they may be faxed to (601) 359-1979 and received in the Office of Accreditation and Accountability no later than 5:00 p.m. on Tuesday, April 14, 2015. All written comments will be compiled and presented to the SBE Thursday, April 16, 2015.

March 20, 2015
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If you have any questions, please do not hesitate to contact the Office of Accreditation and Accountability at (601) 359-3764, or e-mail pvanderford@mde.k12.ms.us.

Enclosure

c: Carey M. Wright, Ed.D.
Pat Ross

3801 Graduation Requirements-Policies for Subject Area Testing

Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on the Concordance Table as reference in State Board Policy 3803 and provided to school districts by the Mississippi Department of Education.

Archived Information Regarding State Board Policy 3801 for Students Graduation Prior to School Year 2014-2015:

Enrollment in a non-public school/program (to include, but not limited to, private schools, parochial schools, home schools, virtual schools, summer schools, independent study/correspondence programs, etc.) shall not be used to circumvent participation in the Mississippi Statewide Assessment System or students meeting the graduation requirements outlined in this policy.

1. Students will not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit (i.e., course completed as recorded on an official transcript) in a Mississippi public school prior to the 2001-2002 school year. (MS Code 37-16-7)
2. Any student enrolled in a Mississippi public school who concurrently earns a Carnegie unit for any course which includes a required end-of-course Subject Area Testing Program (SATP) exam from a non-public school (to include, but not limited to: private school, parochial school, home school, virtual school, summer school, or independent study / correspondence program, etc.) must take and pass the SATP exam in order to earn a standard diploma.
3.
 - a. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a public school of another state as fulfilling the requirements for a Mississippi high school diploma.
 - b. Effective with the 2011-2012 school year, students entering or enrolled in a Mississippi public school implementing an innovative program authorized by the State Board of Education who have earned credits in the *Required Subjects* for a diploma in the state of Mississippi and will have completed an end of course assessment or end of domain assessment, will be exempt from State Board Policy 3803 until the State Board of Education has adopted standards and cut-scores for the corresponding assessments.
4. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a private school as fulfilling the requirements for a Mississippi

high school diploma, provided the private school is accredited regionally or by the state of Mississippi.

5. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a private school as fulfilling the requirements for a Mississippi high school diploma if the private school is not accredited regionally or by the state of Mississippi.
6. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student through home schooling as fulfilling the requirements for a Mississippi high school diploma.
7. Passage of the required Subject Area Test (High School End of Course Assessment or End of Domain Assessments as appropriate) is a separate requirement for graduation for students prior to the 2014-15 school year. In accordance with Section 37-16-5 of the MS Code, innovative programs authorized by the State Board of Education, shall periodically assess student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from district assessment programs shall be provided to the State Department of Education when such data is required in order to evaluate specific instructional programs or processes or when the data is needed for other research or evaluation projects. Each district may provide acceptable, compatible district assessment data to substitute for any assessment data needed at the state level when the State Department of Education certifies that such data is acceptable for the purposes of Section 37-16-3.

Source Code: MS Code 37-17-6, 37-16-7

3801 Graduation Requirements-Policies for Subject Area Testing - REVISION

Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on the Concordance Table as referenced in State Board Policy 3803 and provided to schools districts by the Mississippi Department of Education.

Archived Information Regarding State Board Policy 3801 for Students Graduation Prior to School Year 2014-2015:

Enrollment in a non-public school/program (to include, but not limited to, private schools, parochial schools, home schools, virtual schools, summer schools, independent study/correspondence programs, etc.) shall not be used to circumvent participation in the Mississippi Statewide Assessment System or students meeting the graduation requirements outlined in this policy.

1. Students will not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit (i.e., course completed as recorded on an official transcript) in a Mississippi public school prior to the 2001-2002 school year. (MS Code 37-16-7)
2. Any student enrolled in a Mississippi public school who concurrently earns a Carnegie unit for any course which includes a required end-of-course Subject Area Testing Program (SATP) exam from a non-public school (to include, but not limited to: private school, parochial school, home school, virtual school, summer school, or independent study / correspondence program, etc.) must take and pass the SATP exam in order to earn a standard diploma.
3. a. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a public school of another state as fulfilling the requirements for a Mississippi high school diploma.

b. Effective with the 2011-2012 school year, students entering or enrolled in a Mississippi public school implementing an innovative program authorized by the State Board of Education who have earned credits in the *Required Subjects* for a diploma in the state of Mississippi and will have completed an end of course assessment or end of domain assessment, will be exempt from State Board Policy 3803 until the State Board of Education has adopted standards and cut-scores for the corresponding assessments.
4. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a private school as fulfilling the requirements for a Mississippi high school diploma, provided the private school is accredited regionally or by the state of Mississippi.

5. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a private school as fulfilling the requirements for a Mississippi high school diploma if the private school is not accredited regionally or by the state of Mississippi.
6. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student through home schooling as fulfilling the requirements for a Mississippi high school diploma.
- ~~7. Any Mississippi public school student who fails to pass a required Subject Area Test will be offered a chance to retake the test three times each year until a passing score is achieved:
 - ~~a. At or near the end of the fall semester,~~
 - ~~a. At or near the end of the spring semester, and~~
 - ~~b. At or near the end of summer school.~~~~
- ~~8. Any course that is required for subject area testing as a requirement for graduation from a public school in Mississippi is not eligible for dual credit. (MS Code 37-15-38(11)). Refer to Section 37-15-38 (19) of the MS Code for exemptions.~~
7. Passage of the required Subject Area Test (High School End of Course Assessment or End of Domain Assessments as appropriate) is a separate requirement for graduation for students prior to the 2014-15 school year. In accordance with Section 37-16-5 of the MS Code, innovative programs authorized by the State Board of Education, shall periodically assess student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from district assessment programs shall be provided to the State Department of Education when such data is required in order to evaluate specific instructional programs or processes or when the data is needed for other research or evaluation projects. Each district may provide acceptable, compatible district assessment data to substitute for any assessment data needed at the state level when the State Department of Education certifies that such data is acceptable for the purposes of Section 37-16-3.

Source Code: MS Code 37-17-6, 37-16-7 (Revise 3/2015)

3802 Policies for Carnegie Unit Credit

1. Any Mississippi public school student shall not be awarded Carnegie unit credit unless the core objectives identified in the Mississippi College and Career-Ready Standards or Mississippi Curriculum Framework have been mastered.
2. For students entering a Mississippi public school from a regionally accredited private school or public school in another state for which the school did not award a Carnegie Unit even though the student successfully completed a course, the district may accept the course as meeting the requirement for the *Required Subjects* for a diploma in the state of Mississippi provided the district determines that the content of the course taken is comparable. However, the total *Carnegie Unit* requirement for the *Curriculum Area* remains the same.
3. Students entering a public school in Mississippi from any regionally accredited public or private school that awarded a Carnegie Unit for the successful completion of a course, the district may accept the course as meeting the requirement for the “Required Subject” in Appendix A of the *Mississippi Public School Accountability Standards*.
4. Any student previously enrolled in a Mississippi public school that failed a SATP exam and later transfers credit for the same SATP course from either a private school that is accredited regionally or by the state of Mississippi or an out-of-state public school must meet one of the graduation options in State Board Policy 3803-
5. All students enrolled in one of the four end-of-course Subject Area Test courses *must* pass the course and participate in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.

Source Code: MS Code 37-17-6, 37-16-7

3802 Policies for Carnegie Unit Credit - REVISION

~~Enrollment in a non-public school/program (to include, but not limited to: private schools, parochial schools, home schools, virtual schools, summer schools, independent study / correspondence programs, etc.) shall not be used to circumvent participation in the Mississippi Statewide Assessment System or students meeting the graduation requirements outlined in this policy.~~

1. Any Mississippi public school student shall not be awarded Carnegie unit credit unless the core objectives identified in the Mississippi College- and Career-Ready Standards or Mississippi Curriculum Framework ~~and innovative programs authorized by the State Board of Education~~ have been mastered.

2. For students entering a Mississippi public school from a regionally accredited private school or public school in another state for which the school did not award a credit for Carnegie Unit, even though the student ~~the~~ successfully completed ~~edion of~~ a course, the district may accept the course as meeting the requirement for the *Required Subjects* for a diploma in the state of Mississippi provided the district determines that the content of the course taken is comparable. However, the total *Carnegie Unit* requirement for the *Curriculum Area* remains the same.

~~3. — For students entering a Mississippi public school from a regionally accredited private school for which the school did not award credit for the successful completion of a course, the district may accept the course as meeting the requirement for the *Required Subjects* for a diploma in the state of Mississippi provided the district determines that the content of the course taken is comparable. However, the total *Carnegie Unit* requirement for the *Curriculum Area* remains the same.~~

~~4.~~ 3. Students entering a public school in Mississippi from any regionally accredited public or private school that awarded a Carnegie Unit for the successful completion of a course, the district may accept the course as meeting the requirement for the “Required Subject” in Appendix A of the *Mississippi Public School Accountability Standards*.

~~5.~~ 4. Any student previously enrolled in a Mississippi public school that failed a SATP exam and later transfers credit for the same SATP course from either a private school that is accredited regionally or by the state of Mississippi or an out-of-state public school must take and pass the exam in order to earn a standard diploma ~~meet one of the graduation options in State Board Policy 3803.~~

~~6. Any course that is required for subject area testing as a requirement for graduation from a public school in Mississippi is not eligible for dual credit. (MS Code 37-15-38(11)) Refer to Section 35-15-38(19) of the MS Code for exemptions.~~

5. All students enrolled in one of the four end-of-course Subject Area Test courses must pass the course and participate in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.

Source Code: MS Code 37-17-6, 37-16-7 (Revise 3/2015)

3803 Assessments Required for Graduation

1. All students enrolled in one of the four end-of-course Subject Area Test courses *must* pass the course and participate in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.
2. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting *one* of the following options:
 - Passing the applicable end-of-course Subject Area Test, or
 - Using options outlined in State Board Policy 3804, or
 - Using the end-of-course Subject Area Test score with the overall course grade based on the Concordance Table for each of the four end-of-course Subject Area Tests as provided to school districts by the Mississippi Department of Education. (Students must be enrolled in order to utilize this option.)
3. Beginning with school year 2015-2016, in addition to number two (2) above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.
4. Beginning with school year 2016-2017, all students who are enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student's final grade in the course.
5. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

Archived Information Regarding State Board Policy 3803 for Students Graduation Prior to School Year 2014-2015:

Academic end-of-course tests were phased in during the 2001-2002 school year to replace the (FLE) as a requirement for graduation.

1. Students who began 9th grade PRIOR to 1999-2000 must pass the Functional Literacy Examination (FLE).
2. Students who began 9th grade in school year 1999-2000 must pass the Functional Literacy Examination (FLE) plus the Subject Area Test in U.S. History.
3. Students who began 9th grade in school year 2000-2001 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History and English II.
4. Students who began 9th grade in 2001-2002 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History, English II, and Biology I.
5. Students who began 9th grade in 2002-2003 must pass the end-of-course Subject Area Tests in U. S. History, English II, Biology I and Algebra I. Students who began 9th grade in 2003-2004 and each year thereafter must pass all required end-of-course Subject Area Tests in U.S. History, English II, Biology I, and Algebra I.

Source Code: MS Code 37-17-6, 37-16-7

3803 Assessments Required for Graduation - REVISION

1. All students enrolled in one of the four end-of-course Subject Area Test courses *must* pass the course and participate in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.
2. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting *one* of the following options:
 - a. Passing the applicable end-of-course Subject Area Test, or
 - b. Using options outlined in State Board Policy 3804, or
 - c. Using the end-of-course Subject Area Test score with the overall course grade based on the Concordance Table for each of the four end-of-course Subject Area Tests as provided to school districts by the Mississippi Department of Education. (Students must be enrolled in order to utilize this option.)
3. Beginning with school year 2015-2016, in addition to number two (2) above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.
4. Beginning with school year 2016-2017, all students who are enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student's final grade in the course.
5. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

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1. Students who began 9th grade PRIOR to 1999-2000 must pass the Functional Literacy Examination (FLE).
2. Students who began 9th grade in school year 1999-2000 must pass the Functional Literacy Examination (FLE) plus the Subject Area Test in U.S. History.
3. Students who began 9th grade in school year 2000-2001 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History and English II.
4. Students who began 9th grade in 2001-2002 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History, English II, and Biology I.
5. Students who began 9th grade in 2002-2003 must pass the end-of-course Subject Area Tests in U. S. History, English II, Biology I and Algebra I. Students who began 9th grade in 2003-2004 and each year thereafter must pass all required end-of-course Subject Area Tests in U.S. History, English II, Biology I, and Algebra I.

Source Code: MS Code 37-17-6, 37-16-7 (Revised 3/2015)

**Revision of State Board Policies
3801, 3802, and 3803
Graduation Requirements**

APA COMMENTS

March 20 – April 14, 2015

APA Comments Summary Chart

Rule	Narrative of Rule	Topic				Comments
			Supporting	Concerns	Questions	Total
SBP 3801 SBP 3802 SBP 3803		<ul style="list-style-type: none"> • State Board Policy 3801 – Policies for Subject Area Testing • State Board Policy 3802 – Policies for Carnegie Unit Credit • State Board Policy 3803 – Assessments Required for Graduation 	12	4	14	
	TOTAL COMMENTS		12	4	14	30

Revision of State Board Policies

3801, 3802, and 3803

Graduation Requirements

APA Comments Summary Chart

Role	Number of Commenters
Superintendents/Conservators/Directors	3
Assistant Superintendents	2
District School Board Members	
Teachers	
Librarians/Media Specialists	
Directors (Other)	3
Curriculum Directors	1
Special Education Directors	1
Principals	3
Assistant Principals	
Vocational School Directors	
Other District Personnel	4
Instructional Specialists/Academic Coaches	1
Advocacy Groups	2
MDE Offices	
Citizens (Parents)	2
Unknown	8
State Organizations	
TOTAL	30

Fourteen (14) school districts were represented through the APA comments received.

From: Chris Murphy <chris.murphy@smithcountyschools.net>
Date: March 20, 2015 at 3:03:32 PM CDT
To: Paula Vanderford <PVanderford@mde.k12.ms.us>
Subject: Re: [ms_principals] APA Process to Revise SBE Policies for Graduation Requirements

Miss Vanderford,

The opening paragraph in Policy 3801 refers to a Concordance Table in Policy 3803. I do not see a Concordance Table in Policy 3803.

Thank you

From: Kelly Brown <kbrown@themsms.org>
Date: March 20, 2015 at 3:38:24 PM CDT
To: Paula Vanderford <PVanderford@mde.k12.ms.us>
Subject: Re: [ms_principals] APA Process to Revise SBE Policies for Graduation Requirements

Thank you for this update. My question is: if a school has a student enroll from a private school or an out of state school who has appropriate Carnegie unit credit for one of the four subject area tests, does the school still have to test that student since the student has not taken the course at the new school?

If this question has been answered elsewhere please excuse my question.

Sent from my iPad

Mrs. Vanderford,

Do you have any dates set for the release of the Concordance table to use with figuring SATP scores and course grades?

Thanks for your time.

From: Darlene Cole <DCole@noxcnty.k12.ms.us>
Date: March 20, 2015 at 3:56:49 PM CDT
To: Paula Vanderford <PVanderford@mde.k12.ms.us>
Subject: RE: APA Process to Revise SBE Policies for Graduation Requirements

Good afternoon Ms. Vanderford,

My comments:

Is there an option for the students who are having to retake the test and is not currently enrolled in the course other than the previous options?

The policy has no provision for current seniors not enrolled in the SATP course and unable to meet the other options.

Why can't the subject area course and the SAPT be added together for students who have already take the subject area course. (Maybe have parents sign a waiver.)

Another concern: What senior would be enrolled in a SATP course like English II? Seniors should be taking English IV at this point. Students who have passed the SAPT classes would not be enrolled in the courses like Algebra I, Biology I, and English II as a senior; therefore, eliminating the option to use the combination of course and SAPT for final grade.

From: Tom Duncan [<mailto:tduncan@simpson.k12.ms.us>]
Sent: Monday, March 23, 2015 1:49 PM
To: Paula Vanderford
Subject: SBE policies for Graduation Requirements

The documents refer to a concordance table but I cannot find a link or locate it. Is this what we would use to calculate the portion that the state tests counts in the student's overall grade calculation? I see where it counts 25% in 2016-17.

Dr. Tom M. Duncan
Associate Superintendent
Simpson County School District
111 Education Lane
Mendenhall, MS 39114
Phone (601) 847-8000
Fax (601) 847-8001
Email: tduncan@simpson.k12.ms.us

From: Chad OBrian [<mailto:chadobrian@mcsd.us>]
Sent: Monday, March 23, 2015 9:44 AM
To: Paula Vanderford
Subject: Re: [ms_principals] APA Process to Revise SBE Policies for Graduation Requirements

Paula:

If I understand this information correct, this year's seniors do not have to pass the SATP. Their grade in the course will be considered along with their score on the test in accordance to 3803.

Where can I view 3803 in order to view the table?

Thanks

From: [Cathy Davis](#)
To: [Accountability](#)
Cc: [Ben H. Graves](#)
Subject: % counting in Subject Area Test Administration-2016-2017
Date: Thursday, April 09, 2015 7:07:24 PM

I applaud MDE for providing additional graduation options for students in Mississippi.

This email is to address the new graduation assessment option for the 2016-2017 school year.

In regard to the proposed policy, I fully support the test as a percentage of the course average. I think this will encourage students to perform better in the classroom and on the state test.

I think the percentage should be 15%. Currently, that is the % that our 9-Weeks Tests count and that percentage works well.

When some of our advanced students heard the possible 25% as the percentage, they were very concerned. These are students who work very hard to maintain an excellent academic record with a high GPA. I think that if the percentage is 15%, the anxiety levels would most certainly decrease for these and other students.

Please consider my school's viewpoint on this extremely important decision.

Again, thank you for your time and consideration.

Dr. Cathy Davis
Supervising Principal
Wayne County High School

From: [Jennifer Williams](#)
To: [Accountability](#)
Subject: Support for proposed graduation changes
Date: Wednesday, April 08, 2015 10:44:54 PM

As stated in the subject line...

J. Williams, RRT, MSN, FNP-C
Family Nurse Practitioner
Jefferson Comprehensive Health Center
145 Homochitto St.
Natchez, MS 39120
601-442-4863

On Mar 20, 2015, at 4:15 PM, Scotty Collins <tigerprincipall@gmail.com> wrote:

Please email me a copy of the concordance table to be used to determine graduation under the new system adopted by SBE today.

Scotty Collins
Principal
Charleston High School
[662.419.5497](tel:662.419.5497)

Sent from my iPhone

From: Scotty Collins <tigerprincipall@gmail.com>
Date: March 20, 2015 at 5:45:23 PM CDT
To: Paula Vanderford <PVanderford@mde.k12.ms.us>
Subject: Re: Concordance Table

I would rather get rid of this altogether instead of adding a hundred different pathways to graduation but this is a step forward. My comments will depend greatly on the table. Otherwise it is difficult to adequately judge the proposal.

Thank you for the information and have a good weekend.

SC

From: Suzanne Hirsch
Sent: Friday, March 27, 2015 1:25 PM
To: Paula Vanderford; Patrick Ross
Subject: three year options plan - comment

After further reflection on the three year plan presented for the graduation options on state test requirements, I would like to suggest (if not already in the plan) that the percentile is used for composite scores for year two. This would not matter the type of test when finding an average level of performance. Set a percentile score requirement and students would meet that as their composite score for all their subject area tests, regardless of PARCC, SATP2, etc.

We could then use this year to year rather than part of the course grade in year three.

Just a thought. Ignore it if already explored.

Thanks for all you do!

Suzanne Hirsch
Executive Director
Mississippi School of the Arts
PO Box 229
Brookhaven, MS 39602-0229
601-823-1300
601-823-1555 fax
www.msa.k12.ms.us
shirsch@mde.k12.ms.us

From: Christie Holly [mailto:cholly@tcsk12.com]
Sent: Monday, March 23, 2015 12:38 PM
To: Paula Vanderford
Subject: Re: [ms_superintendents] APA Process to Revise SBE Policies for Graduation Requirements

Paula,

I have a question regarding the SATP Graduation Requirement change. The way we understand it, Seniors in 2014-15 and Seniors in 2015-16 must pass the SATP course and meet a minimum requirement according to the Concordance Table that will be released in order to qualify for graduation. We have 9th graders taking Algebra I this year and the SATP3 Alg. I exam this year. I know in 2016-17 students will have 25% of their course grade attributed to their SATP Alg. I test score. So do we need to make the SATP3 Alg. I exam count 25% of their course grade this year in order for them to fall under the requirements for graduation when they get to that point?

Thanks!
Christie Holly

From: [Suzanne Hirsch](#)
To: [Accountability](#)
Subject: APA comment
Date: Thursday, March 26, 2015 12:15:17 PM

I am very thankful and excited about this new change. I agree with the policy change.

Regarding the proposal presented at the board meeting, I have the following comments:

For year one, I agree with the tables and look forward to seeing the remaining subject area charts for conversion for current seniors.

For year two, I think the composite score makes sense for the long term and suggest the idea of continuing this practice beyond year two.

For year three, I am concerned about the 25% of the course grade due to the timing of report cards and score reports release. They do not coincide and it would require that scores are received prior to the end of the semester to enable schools to have accurate report cards/transcripts for students.

Thank you.

Suzanne Hirsch
Executive Director
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From: Cathy Davis <cdavis@wcdms.com>
Date: March 20, 2015 at 3:10:25 PM CDT
To: Paula Vanderford <PVanderford@mde.k12.ms.us>
Subject: Re: [ms_principals] APA Process to Revise SBE Policies for Graduation Requirements

Where can we find the Concordance Table?

Sent: Monday, March 23, 2015 3:09 PM

To: Walt Drane

Subject: Question

I have a couple of questions about the new graduation option. First, how soon will districts receive the sliding scale? Second, when the SATP begins to count as 25% of a student's grade in 2016, how will the "grade" the student receives for the assessment be determined? For example, if a student gets 50% of the questions correct and scores proficient, will he/she receive a 50 as the grade since that was the percentage, or a B since he/she was proficient, or what? What about a student who scores Advanced? Will the student have to achieve a perfect score to receive a grade of 100? These are questions our students and parents are already beginning to ask.

How soon will we receive the PARCC scores this year and going forward? Finally, the previous graduation requirements required that students take and fail the SATP2 twice before they could be applied. Will that still be the case, or will students only be required to take the assessment once now? Thanks for your help!

Keli Lindsey
Career Pathways Experience Coordinator
Water Valley High School

Paula,

Does the new option allow for prior students? We still have students who return to retake tests hoping for a graduation option. Does it 'grandfather' them and/or those who may have dropped out?

--

Tess R. Smith
Superintendent
Lamar County School District

Hello Pat,

I hope all is well your way. Below is a list of questions from one of our principals regarding the new graduation option. Can you shed any light on them? Will there be a webinar on the subject?

We met and came up with questions we have in light of these changes.

1. For this year and next, is there a formula that is supposed to be used to for the calculation of grades?
2. In the 2016-2017 school year the subject area test are supposed to count 25% or 1/4 of a student's total grade in a class.....is there a conversion chart? If so where can it be found?
3. If during or after the 2016-2017 school year, a student's subject area test score pulls their average down to a failing grade, will they have to retake the class?
4. Will a student still have to fail the subject area test twice before their ACT score may be used?
5. In 2015-2016 and 2016-2017, what will the turnaround time be for subject area scores?

Thank you for your time.

Dr. Robin R. Ballard, NBCT
Assistant Superintendent
Curriculum and Instruction

Lowndes County School District
1053 Highway 45 S.
Columbus, MS 39701

Good morning! We are excited to have an additional option for high school graduation. I do believe end-of-the-year assessments are important and they should count in the final class grade, but I believe 25% it too high. I think 15 – 20% would be a better percentage. I am concerned that one bad test day could impact a student with a 4.0 overall GPA and ruin their chances for scholarships. That could happen even with the test counting 15 – 20% of the final grade but it would help with the overall calculation. Please call me if you have additional questions. Thanks, Karen

Karen L. Tutor
Superintendent
Pontotoc City School District
140 Education Drive
Pontotoc, MS 38863
Phone 662-489-3336
Fax 662-489-7932

From: Jim Ferguson [mailto:jim.ferguson@dcsms.org]
Sent: Monday, March 23, 2015 4:14 PM
To: Paula Vanderford
Subject: Questions

Good afternoon,

We have some questions ...

1. What options are available for parents who refuse to take the PARCC test at the high school level?
2. Am I correct that the student can not earn the Carnegie Unit if they do not take the test?
3. Can a student refuse to take the PARCC test this year and take the test next year and get the Carnegie Unit?

Thanks for your help.

Jim Ferguson
Chief Academic Officer for High Schools
DeSoto County Schools

Policy 3803—

For school year 2014-2015, will the students be able to utilize the highest test score earned for the SATP2 test that they have not passed?

Clarify or define what “combined minimum score” means in part c. “All students enrolled may achieve a **combined minimum score** from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.”

25% is the maximum amount that an assessment should count toward a students’ grade. Instructional time in the classroom should hold more weight when looking at student performance than one assessment.

Melissa Flint, Ed. S, LPC, NCSC
Newton County
Director of Testing and RtI
phone: 601-635-2683
fax: 601-635-4025
email: mflint@newton.k12.ms.us

Attn: Dr. Paula Vanderford
Director, Office of Accreditation and Accountability
Mississippi Department of Education
Jackson, MS 39201

April 13, 2015

Via e-mail: accountability@mde.k12.ms.us

Re: Proposed Revisions to Policies on Receiving Credit for certain
Required Courses and Graduation Requirements (filed 3/20/2015)

To All Members of the Mississippi Board of Education:

I. The Rule Change is Offensive in Concept

New Rule 3803 (1) states: “All students enrolled in one of the four end-of-course Subject Area Test courses **must** pass the course **and participate** in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.” (Emphasis mine.) To receive credit in these four courses, and to graduate, new Policy 3803 requires a student to undergo testing on the four statewide adaptive tests.

The new rule mandates that all students *participate* in the applicable SATP test in order to obtain a required Carnegie Unit credit. However, it does not require a student to *pass* the test to obtain credit.

Likewise, the change to Rule 3801 does not require a student to *pass* the test to graduate: “Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test . . . as a requirement for graduation.” Both new Policies make participating in the test more important than passing the test.

For students who fail any SATP test, Rule 3804 makes alternatives available so they can receive credit and graduate in spite of failing the test. But if the student did not participate, *i.e.*, did not take the SATP test, then new Policy 3803 forecloses the child from exercising any of the exceptions in Policy 3804.

New Policy 3803 offends the principle that underpins the right against self-incrimination secured by the Fifth Amendment to the United States Constitution – and found in the Mississippi Constitution’s guarantee that an accused person being criminally prosecuted “shall not be compelled to give evidence against himself.” Article 3, Section 26. Before I explain, let me quickly disclaim a position I am not taking.

No such objection can be raised against tests written by the classroom teacher or the school principal which are used only by the teacher or principal. A child’s performance on those tests is used solely to ascertain deficiencies, improve or focus future instruction, award a grade for the course, withhold or confer course credit, and to award or withhold a diploma. Performance on those tests is not used to penalize a child again throughout his life after graduating / earning a G.E.D. / dropping out.

With the adoption of Common Core standards (for Language Arts and Math, for now), the state for the first time moved test-taking onto computers, agreed to adaptive testing (which is not standardized, but tailors questions to each test-taker based on how she answered previous questions), and built a longitudinal database capable of compiling data from a child's answers to each question on the four statewide tests. No longer is it just an overall test score that can become part of a child's record. Now, the longitudinal database – and the company that designs, supplies, and/or scores the tests or portfolios (e.g., Pearson, Measured Progress /Behavioral Imaging) – can build a profile of each child who participates in statewide testing by analyzing both her correct responses and which of the wrong choices she chose from among the multiple choices.

The SLDS is explicitly intended to be accessed beyond a person's graduation from high school, by entities outside the public school system.

No one knows yet all the ways this information will be used by government officials to make decisions affecting the careers and lives of citizens who come of age under adaptive testing and portfolio-based alternative assessments. But this much insightful information about this many people will be misused. It is inevitable. The only way to prevent such a database from being used against us is to prevent the information from being collected about a person in the first place. Keeping personal information out of the government's reach is the only way to prevent agency employees from using our information against us.

To illustrate: Under ObamaCare health care will have to be rationed. Even though the family physician prescribes a medical treatment as necessary, the longitudinal database will enable the Division of Medicaid to approve or disapprove the treatment for reimbursement based on the profile of a special-needs adult compiled while he or she was an IEP student.

The information collected on minors during their years in school could be misused by the Dept. of Employment Security to keep a job-seeker in the dark about a desirable job opening because a D.E.S. (*flk/a* M.E.S.C.) staff-member disagrees with his political views; or by the Dept. of Human Services in determining whether an applicant is eligible for Food Stamps; by State Universities in awarding scholarships and placement in honors programs; or by a not-yet-created agency that will conduct workforce training and lifelong learning.

To participate in adaptive testing or portfolio-based assessments designed and analyzed by psychologists and other ideologues (not just subject-matter experts) is to supply a growing government with knowledge of a young person's loyalties and instincts which various agencies can use against the person throughout his life, long after graduation.

When public education Policy says participating in a test is more important than passing the test, it is a hint that what the longitudinal database can learn from each child as he or she takes the tests is more important than what the child has learned before first taking the test.

The Mississippi Constitution reminds us, "The enumeration of rights in this constitution shall not be construed to deny and impair others retained by, and inherent in, the people." Article III, Section 32. Privacy is one of the rights retained by the people. It is a necessary barrier against a totalitarian state. Privacy is inherent in living as individuals and as families with distinct jurisdictions (self-government, family government) separate from the civil government. Parents can protect their child's privacy by not surrendering it.

Some parents will refuse to surrender their children to be tested on statewide adaptive tests – from which much more than a macro score will be recorded, and from which a micro-analysis of how the child responded to every question can be permanently recorded in the SLDS.

The right to cast a secret ballot illustrates each person's prerogative to not let the civil government know (or collect records that will reveal) our thinking about family structure, gender roles, sexual morals, economics, politics, and human origins.

When parents shield their child from taking the Biology I test, the U.S. History (1877 forward) test, or all four tests, so that their child won't be induced into disclosing private views that will be psycho-analyzed and which government officials can later hold against him, Policy 3803 should afford the student the benefit of the exceptions provided in Policy 3804 for students who fail an SATP test, but deserve to graduate. Instead, Policy 3803 denies him that benefit.

Under Policy 3803 (4), a student could earn a barely-passing grade in those four courses while scoring zero on each SATP test, because the SATP score will constitute 25% of the student's final grade. However, if he does not participate in the SATP test and gets no score at all, Policy 3803(1) deprives the student of credit (a Carnegie Unit) for the course.


II. The Rule Change is Defective in Procedure

Premature Effective Date. Immediate implementation of the change to Rule 3803 does not meet the requirements of *Miss. Code §27-43-3.133(2)(b)(ii)*, which allows an agency to immediately implement a change before publishing notice and inviting public comment if "the rule only confers a benefit or removes a restriction on the public or some segment thereof." It may be that one of the proposed rules removes a restriction from students who fail the statewide tests. But new Rule 3803 does not do *only* that. The rule-change also imposes a detriment on the segment of the public who are refusing statewide standardized tests. Since some of the changes to the rule impose a detriment, it was false for MDE to claim that the new rule *only* confers a benefit or removes a restriction on the public.

Defective Notice. Notices of changes to Rules 3801 and 3803 are defective under the Administrative Procedures Law because Policy 3803 is incomplete. New Policy 3801 states that the SATP test score shall be factored in "based on the *Concordance Table* as outlined in State Board Policy 3803." However, no *Concordance Table* is found in Rule 3803 as published March 20th. Members of the public are unable to evaluate the referenced table or comment on it.

The State Board should not issue Policies that punish the progeny of parents who protect their child from statewide adaptive testing that can be taken only on a computer connected to the Internet, especially given the SLDS capability to store a psychological or political profile of each child built from how he or she responded to each test question. As Policy 3804 proves, alternatives can be built into Policy 3803. At the very least, the Board should restore a safe harbor for children of prudent parents.

Sincerely,


George S. Whitten Jr.
310 High Street
Greenwood, MS 38930

MS FREE

Mississippi Families Restoring Excellence in Education

April 14, 2015

Mrs. Paula A Vanderford
Executive Director
Office of Accreditation and Accountability

accountability@mde.k12.ms.us
Fax: 601-359-1979

RE: Proposed Revisions to SBE Policies to Graduation Requirements (filed 3/20/2015)

To MS Board of Education:

The recent alleged reprieve from the SATP as a graduation requirement is not really a reprieve. The announcement that students will not have to pass end-of-course exams is welcome news. However, the news is not as welcoming as it might sound.

Existing Rule 3803 #1 states: "**All** students enrolled in one of the four end-of-course Subject Areas Test courses **must** past the course **and [must]** participate in the applicable end-of-course subject area test in order to earn the Carnegie Unit." (Emphasis mine) To receive credit for these four courses, and to graduate, new Policy 3803 **mandates** that all students **participate** in the applicable SATP test in order to obtain a required Carnegie Unit credit; however, the rule change does not require the student to **pass** the test. The same is true of the change to Rule 3801 where passing the SATP is no longer required. The **participation rule** eliminates that student's ability to utilize alternatives outline under Rule 3804 that are available to students who **fail** the same SATP test.

It is clear from the rule change that **passing** the SATP has been reduced to a non-credit-bearing activity. However, the State Board of Education and the Commission of School Accreditation has made **participating** in the test **more important** than **passing** the test. This thought process is ludicrous. It penalizes any student whose parent exercises their 14th amendment right to direct the education of their child and their 5th amendment right against self-incrimination.

Regarding 14th Amendment

Parents' U.S. Constitutional rights trump state school policies, regarding electives and non-credit-bearing activities. The new policy has reduced the passing of a particular SATP to a non-credit-bearing activity since it is no longer a requirement for graduation. *According to the U.S Constitution, specifically the 14th Amendment, parental rights are broadly protected by Supreme Court decisions (Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the "fundamental right" to "direct the upbringing and education of their children." Furthermore, the Court declared that "the child is not the mere creature of the State: those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations." (Pierce v. Society of Sisters, 268 U.S. 510, 534-35) The Supreme Court criticized a state legislature for trying to interfere "with the power of parents to control the education of their own."* The Court, among other

things, stated: *“The fundamental theory of liberty upon which all governments of this Union rest **excludes any general power of the State to standardize its children.**”* (Meyer v. Nebraska, 262 U.S. 390, 402.) *In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten “liberties” protected by the Due Process Clause of the Fourteenth Amendment.* (262 U.S. 399). *In recognition of both the right and responsibility of parents to control their children’s education, the Court has stated: “It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for the obligations the State can neither supply nor hinder”* (Prince v. Massachusetts, 321 U.S. 158).

We understand that it is state and local policy to require all students to be evaluated for proficiency in various subject areas at each grade level in order to graduate. However, a student whose parents refuse an end-of-course test should not be hindered from graduation and should be afforded all options that are available to students who fail the same SATP. Especially since SBE and both our MS legislative bodies (in Senate Bill 2161) acknowledge that passing the SATP is not required for graduation.

Regarding 5th Amendment

Two of the four statewide SATP tests have been developed by PARCC to align with Common Core Standards. PARCC is under a Cooperative Agreement (Agreement) with the U. S. Dept. of Education. At Article II.A.5 of the Agreement it states that PARCC must (emphasis mine): “Comply with, and where applicable coordinate with the ED staff to fulfill, the program requirements established in the RTTA Notice Inviting Applications and the conditions on the grant award, as well as to this agreement, **including, but not limited to working with the Department to develop a strategy to make student-level data that results from the assessment system available on an ongoing basis for research, including for prospective linking, validity, and program improvement studies;** subject to applicable privacy laws.”

In Appendix E: Section N Item 6 the Agreement states “The Grantee must provide timely and **complete access to any and all data collected at the State level to ED or its designated program monitors, technical assistance providers, or researcher partners,** and to GAO, and the auditors conducting the audit required by 34 CFR section 80.26.” Then in Appendix F: Item 5(b) states “Producing **all student-level data** in a manner consistent with an industry-recognized **open-licensed interoperability standard** that is approved by the Department during the grant period;”

The Fifth Amendment to the U.S. Constitution secures the right against self-incrimination – to not be a witness against yourself. The Mississippi Constitution likewise guarantees that an accused in a criminal prosecution “shall not be compelled to give evidence against himself;” Article 3, Section 26.

When tests are written by the classroom teacher or principal, and are only used by a teacher to award a grade for the course and by the principal to determine whether a student passed or failed or earned a diploma, no objection can be raised that testing calls upon a person to surrender the right against self-incrimination. Therefore, we are not speaking to those types of tests in this argument.

However, with adoption of Common Core standards, the state moved test-taking onto computers and has agreed to share individual student level data via PARCC to a longitudinal database capable of compiling a profile on how a child answers each question on any statewide PARCC test. No

longer is it just a child's overall score on the test that becomes part of his record. Now, an interoperable longitudinal database is being built to profile each child who participates in statewide testing by analyzing both correct and incorrect responses.

We also know that student level education data from the statewide tests is being shared to the Mississippi SLDS which is also an interoperable system. In addition, in June 2014, the U. S. Department of Labor awarded a grant to the Mississippi Department of Employment Security (MDES). As grantee, during this three-year grant period, MDES would among other things:

- 1) develop and improve state longitudinal data systems (SLDS) with individual-level information;
- 2) enable workforce data to be matched with education data to create and expanded the SLDS; and
- 3) improve the quality and breadth of the data in the SLDS.

When the public school policy says participating in the test is more important than passing the test, it is a clue that what the longitudinal database is learning from each child as he or she takes the test is more important than what the child has learned from the school before taking the test. The data in SLDS is also intended to become a permanent record to be accessed beyond a student's graduation from not only high school and college but into the workforce.

To participate in the testing is to supply a growing government with evidence that can be used against children later in their lifetime. No one yet knows all the way this data will be used by virtue of the fact that the U.S Department of Education reserves the right to share the student level data with research partners on an **ongoing basis for research, including for prospective linking**. Just what will our children's data be linked to and who will have the ability to access the children's data? Can SBE even answer those questions satisfactorily for parents? What assurances can SBE give parents that our children's data is secure?

Article III, Section 32 of the Mississippi Constitution reminds us, "The enumeration of rights in this constitution shall not be construed to deny and impair others retained by, and inherent in, the people." Privacy is one of the rights retained by the people. It is a necessary barrier against a totalitarian state. Privacy is inherent to maintaining individual self-government and preserving family government without both being absorbed into the state. Each one of us can protect our child's privacy by not surrendering it. No law is needed when we can simply refuse to disclose what is private. The right to cast a secret ballot illustrates each person's right to not let the civil government know (or compile records that will reveal) our philosophy and world-view about family structure, sexual morals, politics, economics, human origins, and the purpose of living.

One of duty of a parent is to protect their child's privacy. Policy 3803 denies that right to a student whose parents refuse an end-of-course statewide test. No student should be hindered from graduating solely due to non-participation in a test where passing the test is not required. Non-participating students should be afforded all options that are available to students who fail the same SATP.

The objections to Policy 3803 #1 equally apply to Policy 3803 #4 when the SATP test score constitute 25% of the student's final grade in the course. It is widely acknowledged that some bright students do not perform well on standardized tests, but score well on teacher-generated tests. By incorporating a SATP score into a student's final grade, some otherwise high-achieving

students could see a significant drop in their GPA. A lower GPA could have serious ramifications, not only for graduation, but also for scholarships and honors. A student's GPA's should not be adversely affected when tests and related scoring cannot be seen by either parents or teachers leaving the student without an advocate on their behalf. The secrecy surrounding these tests on an after-fact basis is also a red herring for parents.

Two Violations of the Administrative Procedures Law

Immediate implementation of the change to Rule 3803 does not meet the requirements of Miss. Code section 27-43-3.133(2)(b)(ii), which allows an agency to immediately implement a change as before inviting public comments if "the rule only confers a benefit or removes a restriction on the public or some segment thereof." Though part of the proposed rule might remove a restriction from students who fail the statewide tests, the rule does not only do that. The rule change also imposes a detriment on the segment of the public who are refusing statewide standardized tests. Since some of the changes to the rule impose a detriment, it was false to claim that the new rule only confers a benefit or removes a restriction on the public.

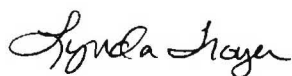
Secondly, MDE's notices of changes to Rule 3801 and 3803 are defective because Rule 3803 is incomplete. Proposed Rule 3801 states that the SATP test score should be considered along with the overall course grade based on a "Concordance Table" as outlined in State Board Policy 3803. However, no "Concordance Table" is found in Rule 3803 as published on 3/20/2015. Therefore, parents are unable to evaluate the referenced table or make comments regarding it.

Conclusion

We have a tremendous respect for our children's teachers and administrators of their schools. They are diligent. Parents wish to continue to sending their children to a school where they look forward to studying every day. For the most part, the school's teachers and administrators understand that refusing statewide testing in no way reflects our feelings toward them and is not intended as an attack on the great work they do every day. Our objection is to statewide testing aligned to the Common Core methodology and content, and the collecting of information from how each child responds to each question to build a psychological and political profile of each child. As Policy 3804 proves, alternatives can be built into Policy 3803 and should be for parents who are protecting their children from invasive statewide SATP standardized tests.

We are taxpayers paying property taxes, income tax and sales tax to the state of Mississippi. The state Board and state Department of Education should not have the authority to bar our child from accessing a public education to which we contribute as a taxpayers.

Respectfully,



Lynda Troyer

MSFREE - Mississippi Families Restoring Excellence in Education

MSFREE is a growing group of 3,500+ concerned citizens from across Mississippi. We are students, parents, grandparents, educators, business owners, professionals and taxpayers. We are a grassroots movement. We are not politically aligned, affiliated, or sponsored.

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

A handwritten signature in black ink, appearing to read "Margaret Adams". The signature is written in a cursive style with a large initial "M".

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

A handwritten signature in black ink, appearing to read "Andrew Jones". The signature is written in a cursive style with a large initial "A".

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

Danyenik Burch

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

Quatrell Ware

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

Kenneth Johnson

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

Countryman

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

Carla Hendrickson

April 14, 2015

I support the proposed changes to the graduation options for the state of MS.

A handwritten signature in black ink, appearing to read "James Minor". The signature is written in a cursive style with a large initial "J" and a distinct "M".

PARENTS' CAMPAIGN

Better Schools  Brighter Future

April 14, 2015

Dr. Paula Vanderford
Executive Director
Office of Accreditation and Accountability
Mississippi Department of Education
PO Box 771
Jackson, MS 39205-0771

Dear Dr. Vanderford,

Please accept these written comments regarding the proposed policy changes regarding graduation requirements that are being considered by the Mississippi Board of Education. The Parents' Campaign shares the board's goal of ensuring that all Mississippi students graduate from high school well prepared to enter college or a career, and we appreciate the board's willingness to reconsider and revise board policies toward that end.

Our primary concern with the recommendations currently under consideration is the change to State Board Policy 3803, specifically the proposal that, beginning with school year 2016-2017, for all students enrolled in a Subject Area Test course for the first time, the assessment score will constitute 25% of the student's final grade in the course.

Given the considerable challenges, primarily technology-related, that some students have faced with this year's testing, and the ever-worsening politicization of public education and testing, we believe there is potential to do harm to students, particularly those who might participate in a first-time administration of a new exam or those who simply don't test well. Either of those scenarios could cause the GPAs of good students to drop considerably and, perhaps, have a negative effect on admission to college and the awarding of scholarships.

For example, my son participated in the Algebra I performance-based assessment last month. While he was completing the narrative portion of the assessment, his answer to one question was deleted (or "disappeared") twice. Three times he keyed in his rather lengthy answer, and two of those three times it disappeared before he could move on to the next question. Because the test is timed, he never completed the last two out of eight questions on that portion of the assessment. His final score will not be a true reflection of his knowledge, but rather will be negatively affected by factors beyond his control.

During the administration of the performance-based assessments, students within the same classroom experienced varying degrees of technology-related difficulty, some experiencing many challenges beyond their control, some experiencing almost none. Similar stories have been reported to us by our members across the state.

Most college admissions offices put more weight on GPA than on standardized test scores because standardized test scores cannot measure discipline, motivation, and other characteristics that are better predictors of school success than are scores on standardized

tests. We believe that “contaminating” the GPA with standardized test scores is not good policy. We understand that about half of states have this policy, with the percent of the final grade comprised of the standardized test score varying significantly. We ask the board to consider that Mississippi students are already saddled with disadvantages that students in other states don’t suffer to the same degree, such as generational poverty and chronic and severe under-funding of public schools. It seems unfair to place in the paths of Mississippi students yet another stumbling block made up of many factors that are beyond their control.

We hope that, if the board adopts this policy, care will be taken to mitigate any unintended consequence that will further disadvantage Mississippi students.

Thank you for considering these comments and for the considerable work you do to ensure that every Mississippi student has a shot at success.

Warm regards,



Nancy Loome
Executive Director

04.14.15

I am in support of the State Test (SATP) not being required for graduation for high school students.

Thanks

Suzanne Calhoun-Nichols
Parent