

**OFFICE OF CHIEF OF RESEARCH AND DEVELOPMENT**  
**Summary of State Board of Education Agenda Items**  
**October 15, 2015**

**OFFICE OF STUDENT ASSESSMENT**

10. Approval to begin the Administrative Procedures Act process to revise the following State Board policies

C. Revise State Board Policy 7610 – Subject Area Testing Program Appeals Process [Goals 1 and 2 – MDE Strategic Plan]

Recommendation: Approval

Back-up material attached

DESCRIPTOR TERM: Subject Area Testing Program Appeals Process

CODE: 7610

ADOPTION DATE: October 23, 2009

REVISION: November 22, 2009

## I. Appeal for Rescoring

When a student, parent, or district personnel has reason to believe that, due to a scoring error, a student who did not pass ~~a Subject Area Test should have passed the test, an appeal for rescoring may be made~~ an assessment within the Mississippi Statewide Assessment Program, the district may request the MDE manually rescore the assessment.

### Process:

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

## II. ~~Appeal for an Alternative Assessment as a Substitute Evaluation~~

### ~~Appeals Process:~~

- ~~• The Appeal for an Alternative Assessment as a Substitute Evaluation may not begin until a student has scored within one scale score point of the passing cut score on the same subject area content test on any three separate occasions (i.e., initial test, first retest, second retest, or any other combination) and has participated in remediation designed to assist students in passing the appropriate subject area test.~~
- ~~• The student or parent may request an appeal to be initiated by a teacher, or a teacher may initiate an appeal. The teacher may deny a request from a student or parent if, in the teacher's professional opinion, there is no basis for the~~

appeal. The student's teacher for the specific subject area course or a course in the same content at a higher level must be the teacher involved in the appeal process. To initiate an appeal the teacher must confirm the student has met the testing criteria outlined above and then submit a portfolio of student work that demonstrates the student's mastery of the course content accompanied by a letter of recommendation to the principal of the student's school.

- This portfolio will consist of documentation that supports student mastery at the expectation defined by the curriculum framework and will be submitted in accordance with the requirements for the Alternative Assessment for Subject Area Tests, a process available only to students with an IEP. The composition of the evidence portfolio must address the course-specific framework competencies and objectives for the relevant subject area test.
- The teacher must sign the Ethics in Data Collection Form for the Appeal for an Alternative Assessment as a Substitute Evaluation to accompany the portfolio.
- The teacher's letter of recommendation, the portfolio, and the Ethics in Data Collection Form must be reviewed and agreed to as accurate by the school principal and district superintendent. If the portfolio is found not to substantiate the appeal, the appeal may be denied by the principal and/or district superintendent. If the principal and superintendent support the appeal, they must also sign the Ethics in Data Collection Form.
- If the appeal is approved by the superintendent, the district test coordinator will then review the appeal and verify that all requirements of the Appeal for an Alternative Assessment as a Substitute Evaluation have been met. The district test coordinator will submit the student portfolio including the teacher's letter of recommendation and the Ethics in Data Collection Form, which the district test coordinator must also sign, to the Office of Student Assessment by March 30 in the year that the student is anticipated to graduate or at any time following the student's meeting criterion (a).
- If the results of the review of the portfolio determine that the student has demonstrated mastery of the curriculum, a passing score will be substituted for a failing score on the standard statewide subject area test, and the Mississippi Department of Education will bear the cost associated with the review.
- If the results of the review of the portfolio do not determine that the student has demonstrated mastery of the curriculum, the student must continue participating in subsequent standard statewide assessment administrations. In this case, the costs associated with the review of the portfolio will be borne by the school district that submitted the appeal.
- If the Appeal for an Alternative Assessment as a Substitute Evaluation is denied and the student continues to participate in subsequent standard statewide assessment administrations, the teacher may again initiate an appeal, or a student or parent may request another appeal, following any subsequent retest opportunity that results in the student's again scoring within one scale score point of the passing cut score.

The MDE will outline the process to request manual rescoring in the Mississippi District Test Coordinator procedural manual.

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