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Organizing Effective Educational Accountability: The Case of Oklahoma

A Report Presented to

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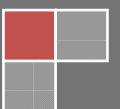
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PREFACE

Over the past decade, standards-based educational accountability has become the dominant policy paradigm in U.S. K-12 education. The approach consists of a set of standards and outcomes that students, teachers and schools should achieve, with consequences for success or failure.

Accountability systems consist of multiple components – standards, assessments, data reporting, rewards and sanctions. Decisions about these elements determine the effectiveness of accountability as a tool for motivating students and educators. A key but understudied factor influencing the effectiveness of accountability is the way it is organized and administered.

The purpose of this report is to describe and evaluate Oklahoma’s system of educational accountability from this organizational standpoint. Our goal is to provide an overview of existing accountability-related structures in Oklahoma including the evolution of the public school accountability system, the current student assessment system, administrative data collection, and data reporting, and research and analysis capacity. We evaluate the effectiveness of accountability in the state and provide recommendations for changes to existing structures.

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EXECUTIVE SUMMARY

The governance of public education systems is a complex and political process. However, developing effective governance is an important ingredient in improving student achievement; especially within the current standards-based accountability movement. Governance matters, and how a state system is structured has significant implications for how accountability is administered, schools operate, teachers work, and students learn. In this report, we describe and evaluate Oklahoma's system of educational accountability from this organizational standpoint.

There is no perfect blueprint for organizing standards-based educational accountability. As states have developed their systems they have set up institutions and processes to handle the various components of the structure — standards-setting, student assessment, data collection, data reporting, rewards and sanctions — differently. It is fully expected that these systems evolve over time as the external context changes and as elements prove to be more or less effective. Oklahoma, like most states, has tried to use the structures established for an input-based compliance operation for one in which school districts are held accountable for outcomes.

Oklahoma's structure is one in which the major role is played by the State Department of Education (SDE). The set up therefore vests considerable authority in the office of the State Superintendent. Major decisions about test design and contracts, data reporting, and rewards and sanctions are left to the SDE. The one exception is the Office of Accountability, an independent agency charged with some reporting and review functions. However, its role is limited in at least two ways — it is dependent on the SDE for the collection of all performance and most other data, and it cannot implement recommendations that result from its school reviews.

Oklahoma has a fairly lengthy experience with standards-based accountability. The good news is that all the essential elements of the system are in place. The strong position of the elected State Superintendent as head of the SBE and SDE provides for clear accountability. The Office of Accountability as an independent agency provides for independent data reporting, in principle at least.

The bad news is that it appears overall levels of student achievement are low by national standards. Most significantly there seems to be a lack of trust in the way the system operates — in particular in the fidelity of student assessment. The large discrepancy between National Assessment of Educational Progress (NAEP) achievement levels and Oklahoma's own assessments, and stakeholder's perceptions of little transparency in the way standards are set, data can be accessed and how it is reported, appear to us to be significant problems. The strong position of the SPI and SDE is a cause for concern among some stakeholders and reflects a relative imbalance in the structure, absent other checks and balances. This problem is magnified by a lack of capacity in the legislature, Office of Accountability and in the academic community in the state to provide for the kind of policy analysis and research that are necessary for guaranteeing data improvements, honest data reporting and policy adjustments over time. Although there are issues with the quality of content standards and the willingness to aggressively follow through on rewards and sanctions, these issues are less serious.

In summary, the incentives in the current structure in Oklahoma do not provide for sufficient faith that standards are set at a high level, that achievement is measured accurately and data are

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available freely. The solution is to change the incentives through a series of structural adjustments.

Most critically, any change must:

- Increase the *transparency* of standards-setting, student assessment and data collection.
- Improve the standards-setting, test design and data reporting processes to include more *external input* and build *greater technical expertise*.
- Strengthen the *checks and balances* on all parts of the accountability system including systematically enhancing legislative oversight and research capability in the state.

Changes should also be made in a way that promotes the most *flexible long term arrangements and capacity building*, rather than short term expedient fixes to get around a current problem.

As the table below shows, our assessment is that Oklahoma performs fairly well in standard setting and reward systems. Nonetheless, the state has potential to improve dramatically in areas such as standards-setting, data collection and reporting.

Table S.1 Summary of Findings by Major Oklahoma Accountability System Component

<i>Component</i>	<i>Overall Rating</i>
Standards-Setting	
Content Standards	Average
Performance Standards	Very Weak
Student Assessment and Data Collection	Weak
Data Reporting	Weak
Rewards and Sanctions	Average

Source: Authors

One framework for evaluating a state's education governance is a rubric developed by Brewer and Smith (2008) that uses five criteria: (1) Stability, (2) Accountability, (3) Innovation and Flexibility, (4) Transparency, and (5) Efficiency. Our analysis for Oklahoma is summarized in Table S.2.

Table S.2 Overview of Oklahoma Accountability System By Characteristic

Characteristic	Overall Rating	Evidence
<i>Stable</i>	Mixed	Long tenures of SDE staff and leaders; Frequent changes in test companies; Arbitrary and frequent changes in cut scores on tests.
<i>Accountable</i>	Mixed	SDE is known source for accountability decisions; Periodic popular elections of Superintendent for Public Instruction too weak a mechanism to enforce accountability without added checks/balances.
<i>Innovative, Flexible and Responsive</i>	Very Weak	Few if any external sources of ideas or change; limited oversight to enforce responsiveness; Very limited external pressure on SDE from related education organizations (e.g. district superintendents and higher education), related government agencies and advocacy groups.
<i>Transparent and Open</i>	Very Weak	Lack of SDE transparency and openness; closed SDE governance system; insular.
<i>Simple and Efficient</i>	Strong	Accountability decisions are concentrated nearly entirely at the SDE and with the Superintendent of Public Instruction; No substantive oversight or challenges from external constituencies; SDE and SPI maintain near exclusive authority over accountability.

Source: Authors

Our main recommendations can be summarized as follows:

1. *Strengthen the role and autonomy of the Office of Accountability:*

- This independent reporting agency has provided the state with robust data reports and school report cards. Strengthening the capacity of this agency would help improve transparency, increase trust in the accountability system, and better monitor the state's progress in improving student achievement.

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2. *Develop external capacity and culture for the examination of Oklahoma's educational performance:*
 - Oklahoma needs to develop expertise in a variety of areas. For example, state staffers with an understanding of test development, and the psychometric requirements of tests, can better facilitate the alignment of tests to state standards. Furthermore, an active research agenda overseen by skilled policy analysts – whether in-house or with University partnerships – will help the state address critical policy issues. Whatever arrangements are adopted, we believe it is essential for the state to develop informed users of state accountability data.

3. *Change the role of the Superintendent for Public Instruction (SPI):*
 - One option is to *eliminate the elected SPI position*. This would require a constitutional change but other states have done this in the past. The SPI would be appointed either directly by the Governor or by the State Board of Education (SBE). Ideally the position of Secretary of Education would be merged with an SPI functionary so there is only one state-level educational leader.
 - If an elected SPI is retained, there may be ways to improve elections law such as term limiting the SPI (or not term limiting the Governor/legislature), requiring the election be non-partisan, increasing the openness in campaign *financing*, limiting lobbying of the legislature by SDE or local school districts, and so on.
 - It also makes sense for the SPI to be only an *ex officio* member of the State Board of Education not its President, so that the SBE becomes a more independent body with a direct connection to the Governor rather than so beholden to the SDE.
 - Although, we do not have sufficient information to judge whether the existing setup has led to poor outcomes, it *is* clear that many stakeholders lack faith in the SPI and SDE

In summary, the incentives in the current structure in Oklahoma do not provide for sufficient faith that standards are set at a high level, that achievement is measured accurately and data are available freely. *The solution is to change the incentives through a series of structural adjustments.*

CHAPTER 1: ORGANIZING EDUCATIONAL ACCOUNTABILITY**1.1 The Building Blocks of Educational Accountability**

For the past 15 years, states throughout the U.S. have been developing mechanisms to improve educational accountability. Accountability defines a contractual relationship between two parties—a provider of a good/service and a director with the power to reward, punish, or replace the provider. In the context of K-12 education, this relationship has involved the state, which has a constitutional obligation to provide schooling, and designated local agents—districts and schools that provide those services.

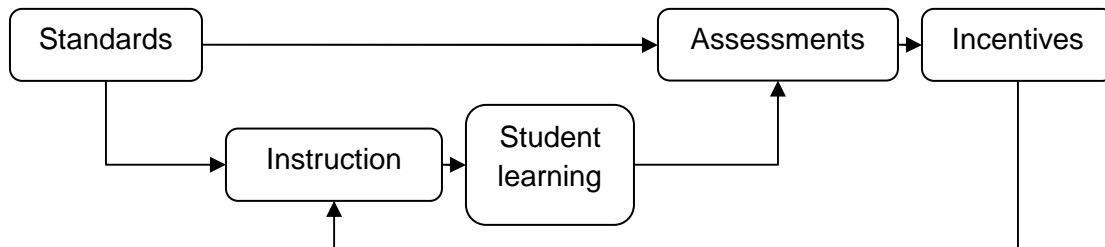
Traditionally, the relationship between state and school districts was characterized by a hierarchical structure based on compliance with state-determined rules and regulations. Legislation, State Board of Education (SBE) edicts and State Department of Education (SDE) regulations typically defined what districts were expected to do in terms of key educational inputs or processes. Examples of such rules include ratios like students per class, the use of certified teachers, what textbook should be adopted, days in the school year, and so on.

Beginning in the late 1980s the nature of the accountability relationship in K-12 schooling began to change. The focus shifted to what students should know in each subject and each grade level, with elaborate student assessment systems to monitor progress towards these standards. Standards-based accountability assumes school districts will be held responsible for providing a certain *quality* of schooling, that student performance will be monitored, and there will be consequences, such as rewards or sanctions, for performance. There is an expectation that an accountability relationship based on outcomes would give incentives to students, teachers and parents to focus on achieving higher achievement levels. The federal government with the No Child Left Behind Act of 2001 required states to adopt a standards-based accountability approach and greatly accelerated the trend that several states such as North Carolina and Texas had already begun. Oklahoma introduced accountability legislation as early as 1989.

The basic building blocks of standards-based accountability are illustrated in Figure 1 below:

- Goals embodied in a set of content and performance standards that schools and teachers use to guide curriculum and instruction.
- Student assessments for determining if students have mastered the standards.
- Consequences (incentives) with improved performance leading to rewards and poor performance leading to sanctions.

Figure 1.1 Elements of Standards-Based Accountability



Source: Stecher and Kirby (2004)

There are many ways to construct an accountability system and each component has been implemented differently across states. For example, in some jurisdictions standards may be defined in fine-grained detail, with hundreds of standards specified in each subject and grade level. Other states have more parsimonious approach. Although the general sequencing of content standards may be similar, performance standards—that is, expectations of how much of the standards students should master—differ greatly across states. This variation reflects differing levels of expectations about student achievement. Similarly, how frequently students are assessed on the standards as well as the form (multiple choice or open response items) and rigor of these tests differs across the country. How much student performance information is released and how it is aggregated (e.g. in school report cards) is another area of difference. Finally, the extent that student assessments are used for decisions – about student remediation or grade retention, teacher and/or school-wide salary bonuses, school closures, or other intervention measures aimed at improvement – also differs widely.

Typically legislation provides a broad overview of how an accountability system should work, with most of the details devolved to other governing offices (like the State Department of Education). These decisions are partly *technical or administrative*, requiring significant expertise on, for example, curriculum content or psychometric properties of tests, and partly *political or policy-oriented* reflecting collective judgments about what students should know, about whether institutions are “failing”, and what kinds of incentives are appropriate. Each state has its own set of arrangements to operationalize accountability. Whether the particular configuration of institutions implementing accountability contributes to system effectiveness has not been the focus of prior research.

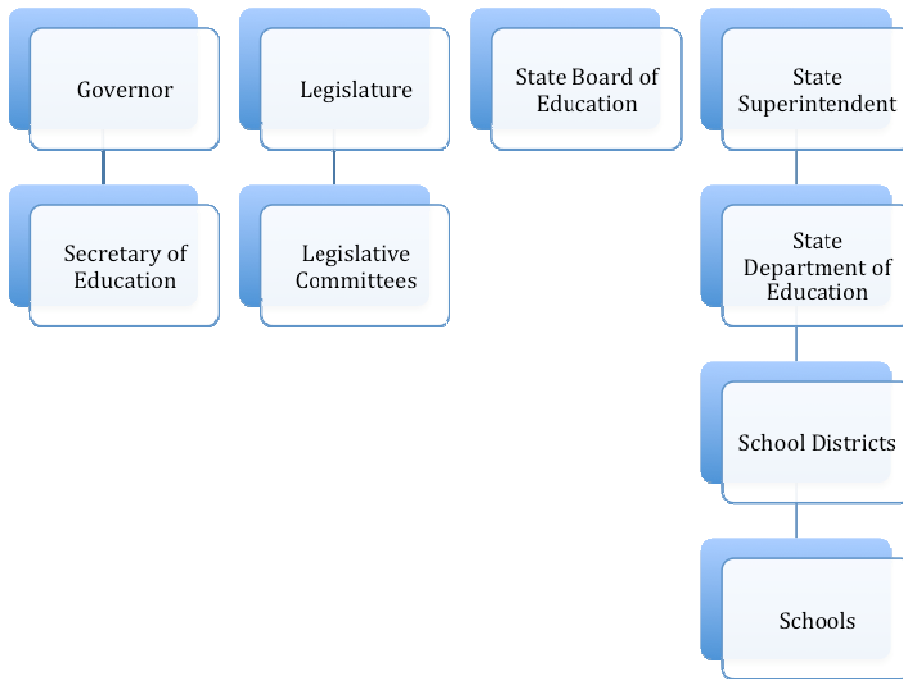
1.2 Educational Governance and Accountability across States

Key decisions about accountability systems are allocated to different bodies in the educational governance structure. Educational governance in the United States is extremely complex (Brewer, 2006, 2007). It typically encompasses “who”, “what”, and “how”: who makes decisions, over what, and by which mechanisms. Governance both refers to individuals and organizations, the goals and objectives to be accomplished, functional roles, and whether tasks are accomplished through regulation, outcomes-based incentives, capacity-building mechanisms, or some other route (McDonnell and Elmore, 1987). These governance structures are laid out in a combination of both formal documents such as the state constitution, legislation, court decisions, and agency rules, and *informal* relations based on reputation, history, political influence, and so on.

Like any educational legislation, standards-based accountability involves new functions that must be allocated to contemporary or traditional agencies. Many tasks—such as standards-setting, test development, large-scale student assessment administration, school report cards, and state sanctions for schools—are all fairly recent. Most states have allocated these functions to existing organizations, using governance arrangements that were designed to fulfill the basic obligation of the state to provide free public education through input-based rather than outcomes-based regulation.

To illustrate the range of accountability governance arrangements, we examined how other states organize their accountability systems. As Table 1.2 below shows, education governance is arranged in two major ways. First, the legislature, courts, and state education departments make major policy decisions about accountability. Second, the major accountability functions of standards-setting, testing, data collection, data reporting and applying rewards and sanctions, are assigned to existing or new agencies that carry out these responsibilities.

In all states the legislature is the major source of educational policy along with a State Board of Education and a State Department of Education (SDE) responsible for delivery of K-12 schooling services through school districts based on geographically defined boundaries (see Figure 1.2). Founded during Progressive Era political reforms (e.g. 1890-1920), education governance typically developed as a *parallel* but independent structure from the rest of local and state government. Unlike other executive agencies, SDE’s typical answer to a State Board of Education and are led by a chief usually termed the Superintendent of Public Instruction (SPI). Either or both may be elected directly or appointed by the Governor. In addition, other entities complicate the picture. For example, in some states (i.e., Oklahoma, Massachusetts, California, etc.) the Governor also appoints a Secretary of Education, usually as policy advisors rather than an agency head. Further, how the arrangements work on a day-to-day basis may depend on the specific individuals in the various offices, and the economic and political climate within which they work.

Figure 1.2 Major Educational Governance Institutions

The National Association of State Boards of Education (NASBE) offers an outline of state governance (see Appendix B). State Board members may be appointed by the Governor or voted into office. The chief school officer, and board chairs, may be appointed by the Governor, or by the State Board (or Board of Regents). A summary of the major configurations is shown in Table 1.1.

Table 1.1A Summary of Educational Governance Arrangements at the State Level

State Boards and Superintendents/Commissioner/Chief	States	# of States
Elected State Board and elected State Superintendent	None	0
Elected State Board and appointed State Superintendent (*appointed by governor, others appointed by SBE)	AL, CO, HI, KS, MI, NE, NV, NM*, TX*, UT	10
Partially elected State Board and appointed State Superintendent	DC, LA, OH, WA	4
Appointed State Board and State Superintendent	AK, AR, CT, DE, FL, IL, IA, KY, ME, MD, MA, MS, MO, NH, NJ, NY, PA, RI, SD, TN, VT, VA, WV	23
Appointed State Board and elected State Superintendent	AZ, CA, GA, ID, IN, MT, NC, ND, OK, OR, SC, WY	12
No State Board but an Elected Superintendent	WI	1
No State Board but an Appointed Superintendent	MN	1
		51

(DC is included)

Table 1.1B Summary of Educational Governance Arrangements at the State Level

Selection of the President or Chief of the State Board	States	# of States
President/chief of State Board elected by the State Board	AK, AZ, AR, CA, CO, GA, HI, IA, ID, KS, KY, LA, ME, MD, MI, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OR, SC, SD, TN, UT, VT, VA, WA, WV, WY	37
President/chief of State Board appointed by Governor	CT, DE, FL, IL, MA, PA, RI, TX	8
President/chief of State Board elected by at-large voters	DC	1
President/chief of State Board is Governor	AL	1
President/Chief of State Board is State Superintendent	IN, OK	2
States without a State Board of Education	MN, WI	2
		51

(DC is included)

Note the names of institutions differ slightly by state e.g. "Commissioner" rather than Superintendent.

Source: National Association of State Boards of Education, 2008.

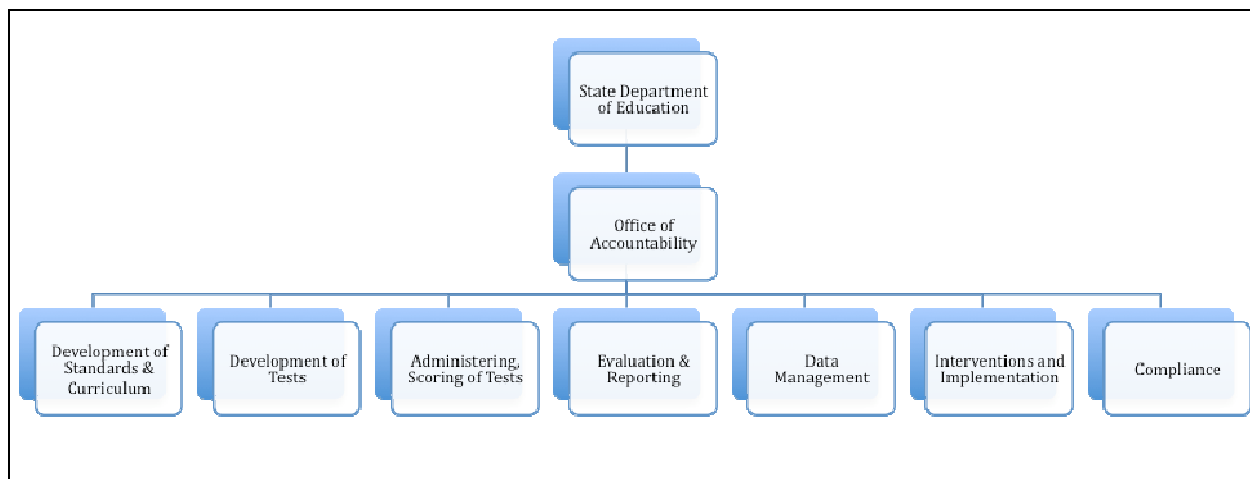
This variety of arrangements has been largely stable since state constitutions established them. However, some states have purposively reorganized aspects of the structure, generally in the direction of removing some of the independent nature of educational governance and making it more closely aligned with other Executive-branch led agencies. For example, prior to 1950, Texas called the Commissioner position the Superintendent of Public Instruction and it was decided by a public statewide election. Florida eliminated an elected chief in 2003 with a constitutional amendment. Also in 2003, New Mexico changed its SDE to a cabinet department headed by a Secretary of Education appointed by the Governor rather than an elected SPI.

States also use different strategies to structure day-to-day accountability functions. As noted above typically these responsibilities fall to the SDE. We reviewed arrangements in a number of

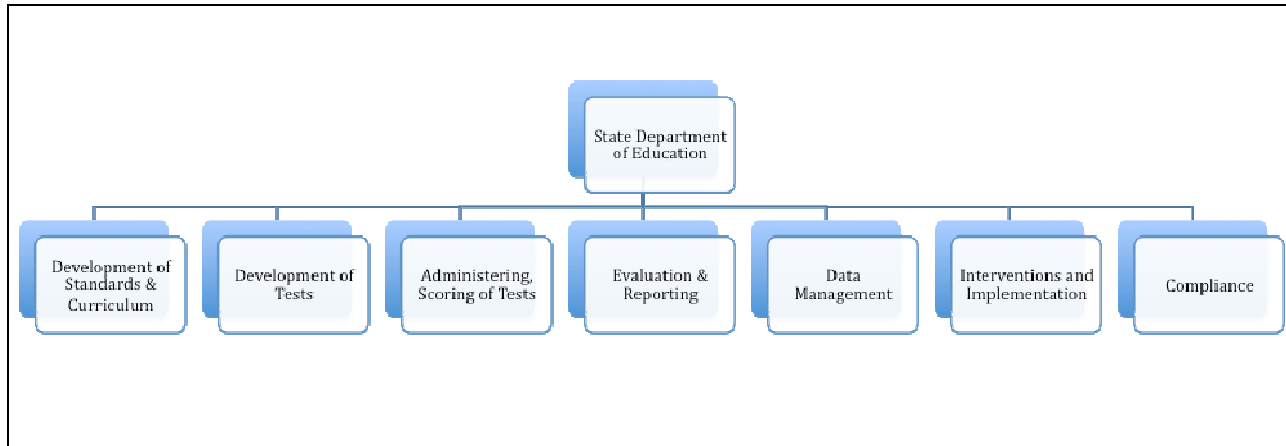
states that have well developed standards-based accountability systems. Details on these states are shown in Appendix B.

Three basic schemas describe most of the variation we observe. In the first (Figure 1.2), there is a single department in charge of accountability functions. This single office reports to the SDE. Under this office are multiple offices that handle the disparate functions of an accountability system.

Figure 1.3 State Model 1: Single Accountability Division Within SDE (e.g. California)

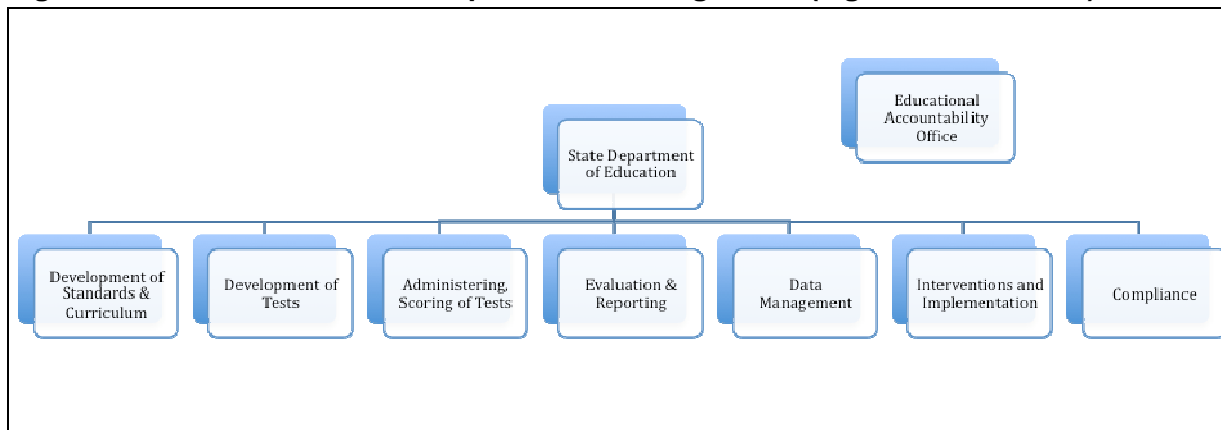


A common variation of Model 1 is to eliminate the intermediary Office of Accountability, and organize accountability offices that report directly to the SDE. Figure 1.3 outlines this structure.

Figure 1.4 State Model 2: Separate Functional Offices Within SDE (e.g. Florida, Michigan, North Carolina, New York)

A final model is one used in Massachusetts (State Model 3) (Figure 1.4). While the state's accountability functions are organized in a similar fashion to other states, it also historically operated an *independent* Education Accountability Office (EAO). (This office was previously called the Office of Educational Quality and Accountability (EQA) when it was established in 2000.) The office reported to a 5-member citizen board, not to SDE. The office conducted independent audits of school districts to examine the financial, managerial, and performance of their systems. The office is currently in limbo, as political battles will determine whether this office remains an independent entity or will now report to the state education department. Oklahoma, as we will see later, has a similar structure to Massachusetts "on paper" at least in the sense that there is a statutorily created independent oversight body. Other states (e.g. Michigan) have put other accountability functions outside the SDE (see Section 4).

Figure 1.5 State Model 3: An Independent Auditing Office (e.g. Massachusetts)



This idea of an *independent accountability agency* is mimicked in several countries around the world. In the UK, the Department of Children, Schools and Families determine standards and assessments. Local agencies operate schools and an independent entity, the Office for Standards in Education, Children's Services and Skills ("Ofsted") is responsible for inspecting schools and judging their overall quality. Several other countries have a similar system of school inspection (e.g. New Zealand). In Qatar, an independent monitoring agency, the "Evaluation Institute", reporting to a Supreme Education Council, administers student assessments and collects and reports extensive data on the nation's schools. Schools are operated by either the Ministry of Education or the "Education Institute" which also sets the curriculum standards applicable in the schools (Brewer et al., 2007).

There are numerous functions in an accountability system from developing state tests, to administering and scoring tests, managing student data to reporting of that data, and assisting schools in meeting goals that require a defined set of skills and knowledge. Every state has attempted to organize these functions into logical offices. The required expertise to operate various state offices is simultaneously expansive and interrelated. Test developers need an understanding of the psychometric properties of test items. Data managers need to understand how to collect, analyze, and report information from state assessments. Each function is also highly interdependent with other functions, requiring coordination. Managers of data systems must not only supervise the technical aspects of data software, but also understand the kinds of information and research that is needed from the data system. Researchers who analyze and report accountability data must understand the design of the tests.

States conceptualize the functions in different ways. For example, California's Office of Standards & Assessment is responsible for the development and administration of tests. However, the Data Management Office is charged with collecting and scoring tests, as well as managing the data systems. In contrast other states—Florida, Michigan, and Texas—organize the test functions under one accountability office. The Chief Technology Officer or an

Educational Technology Office then supervises the management of data systems. In yet another strategy, North Carolina organizes *all* functions under a single state office.

1.4 Which Structure Is Most Effective?

As the previous section has shown, states have used different institutional arrangements as they have designed and implemented standards-based accountability. In most cases, the key accountability functions have been either allocated or developed from within the State Department of Education, in much the same way that other educational policies would be administered by that agency.

While there may be conceptual reasons to prefer one set of arrangements over another, there is little empirical evidence that one is preferred in the sense that it leads directly to better outcomes or indirectly to more effective educational policy (Brewer and Smith, 2006).

Evaluating which configuration is most effective is challenging because there needs to be agreement on *indicators of effectiveness*, prior to any attempt to directly link accountability to student outcomes. Brewer and Smith (2008) studied California's educational governance structure and based on prior research and stakeholder perceptions, devised five possible criteria for judging the effectiveness of state governance:

- Stability
- Accountability
- Innovation and Flexibility
- Transparency
- Efficiency

Definitions of these five characteristics are in Table 1.2.

Table 1.2 Characteristics of Effective State Educational Governance

Characteristic	Definition and Rationale
Stable	A stable governance structure is one in which policy is made and implemented in a way that is known as far in advance as is reasonably possible. Revenue is known in advance for planning. Policies are given an opportunity to work before changes are made. There are few major changes of direction or new initiatives introduced suddenly. Leaders have tenures that allow for knowledge development and on the job learning. Stability enables actors in the system to act in a rational and planned way. This is important for the development of expertise and long term investments in capacity.
Accountable	A governance structure with strong accountability is one in which there are clear lines of authority between the various parts of the system, with limited duplication of functions, so that it is possible to identify the source of decisions. There are consequences for good/bad behavior and outcomes. Actors in a system with strong accountability understand their roles. Accountability gives the right incentives for actors within the system to accomplish their goals. There is alignment between decisions to raise revenue and decisions to spend revenue.
Innovative, Flexible and Responsive	An innovative, flexible and responsive governance structure is one that is adaptable to changing context and able to respond appropriately to new short and long term external demands upon it. New approaches are encouraged; many ideas are generated and spread throughout system. Innovation, flexibility and responsiveness are essential for a system to adapt to changing needs and ensure cutting edge knowledge is used.
Transparent and Open	A transparent and open system is one in which it is clear to the public and all stakeholders how decisions are made, who makes them and participation is encouraged at every level. Transparency allows for the exchange of information between the different levels of the governance system. An open and transparent system is less likely to be subject to 'capture' by special interests, less likely to have corruption and bribery and most likely to encourage public engagement and support of schools. There is an open flow of information, monitoring and evaluation data, and mechanisms to communicate performance to citizens.
Simple and Efficient	A simple and efficient governance structure is one that ensures decisions are made in a timely manner and with minimal overlap or confusion among entities. Decision making is located where knowledge is greatest. Policy is coherent and decisions across multiple domains and levels are coordinated so that there is minimal duplication and waste. The decision making and implementation structure is not burdensome on stakeholders in the system. Costs are minimized.

Source: Brewer & Smith (2008)

These characteristics were used to evaluate the *entire* governance structure in one state, rather than the parts of the structure responsible for the design and implementation of standards-based accountability per se. However, the broad principles can be applied to the way accountability is organized. For example, stability in standards and student assessments is likely to be important, since over time teachers and students would become familiar with what was expected of them. Similarly, a stable format on a school report card allows for learning over time. Transparency in standards-setting and data reporting would likely increase the legitimacy with which the standards and data are viewed by both educators and the public. An innovative structure would ensure that new developments in test design or data collection methods would be adopted to improve the quality and efficiency of student assessments and data.

As with governance writ large, *there is not an “ideal” set of organizational arrangements that guarantee all these outcomes*. Conceptually, for example, organizing multiple functions under a single office might improve the coordination between different accountability functions, but splitting functions into distinct offices may also lead to departments that better develop specialized expertise and capacity. What works best is therefore an empirical issue.

1.4 Overview of Report

In the next two chapters we draw on an array of primary and secondary data to describe and analyze the organization of educational accountability in one state, Oklahoma. In Chapter 2, we first present a descriptive overview of the main elements of Oklahoma’s governance structure and the major components of the accountability system. In Chapter 3, we analyze how effective this structure is relative to student outcomes, the indicators of good governance as discussed above, and the views of various stakeholders in the state.

First, we reviewed the research literature on educational accountability and how it operates across the U.S. and in other countries. We compiled information on state systems from State Department of Education websites, national associations and organizations that monitor accountability (e.g. Achieve, Fordham Foundation, etc.) and media reports (e.g. *Education Week*).

Second, we reviewed documentation pertaining to accountability in Oklahoma, such as existing legislation, election results from both primary source documents and the Oklahoma State Election Board website, Oklahoma legislative committee reports, Oklahoma student achievement results published on the State Department of Education’s website and so on.

Third, we conducted interviews with key stakeholders in all parts of the educational system in Oklahoma including legislators, executive and legislative aides and agency staff in various state departments, and school district personnel. The interviewees included representatives involved with crafting and analyzing K-16 education policy in Oklahoma.

An initial round of 19 in-person interviews was conducted in early September 2008. Follow-up interviews with 4 additional stakeholders were conducted in late September and early October 2008. All interviewees were promised confidentiality. As such individual responses are not attributed to the interviewee, and where anonymity may be maintained, their organizational affiliation is offered.

Interviews were 40-90 minutes in length and followed a semi-structured interview protocol. Extensive notes were taken by the principal investigators; the interviews were not electronically recorded. The interview protocol is attached in Appendix A.

Interview data was analyzed in three stages. Field notes were prepared during the interviews and discussed following each round of interviews by the principal investigators. This debriefing exercise allowed for initial content analysis and identification of interview themes. Second, each principal investigator cross-coded their interview notes, using the interview protocol as a template for identification of both commonalities and variation in response. Third, to enhance reliability, these independently coded themes were then compared and discussed by the principal investigators. Several findings emerged from our interviews and we have used these in our analysis presented in chapter 3.

CHAPTER 2: OVERVIEW OF EDUCATIONAL ACCOUNTABILITY IN OKLAHOMA**2.1 State Level Institutions**

In this chapter we provide a brief overview of the main features of the governance of Oklahoma's accountability system. The effectiveness of the structure is reviewed in chapter 3.

The Oklahoma state constitution lays out the key building blocks for the educational system in the state.

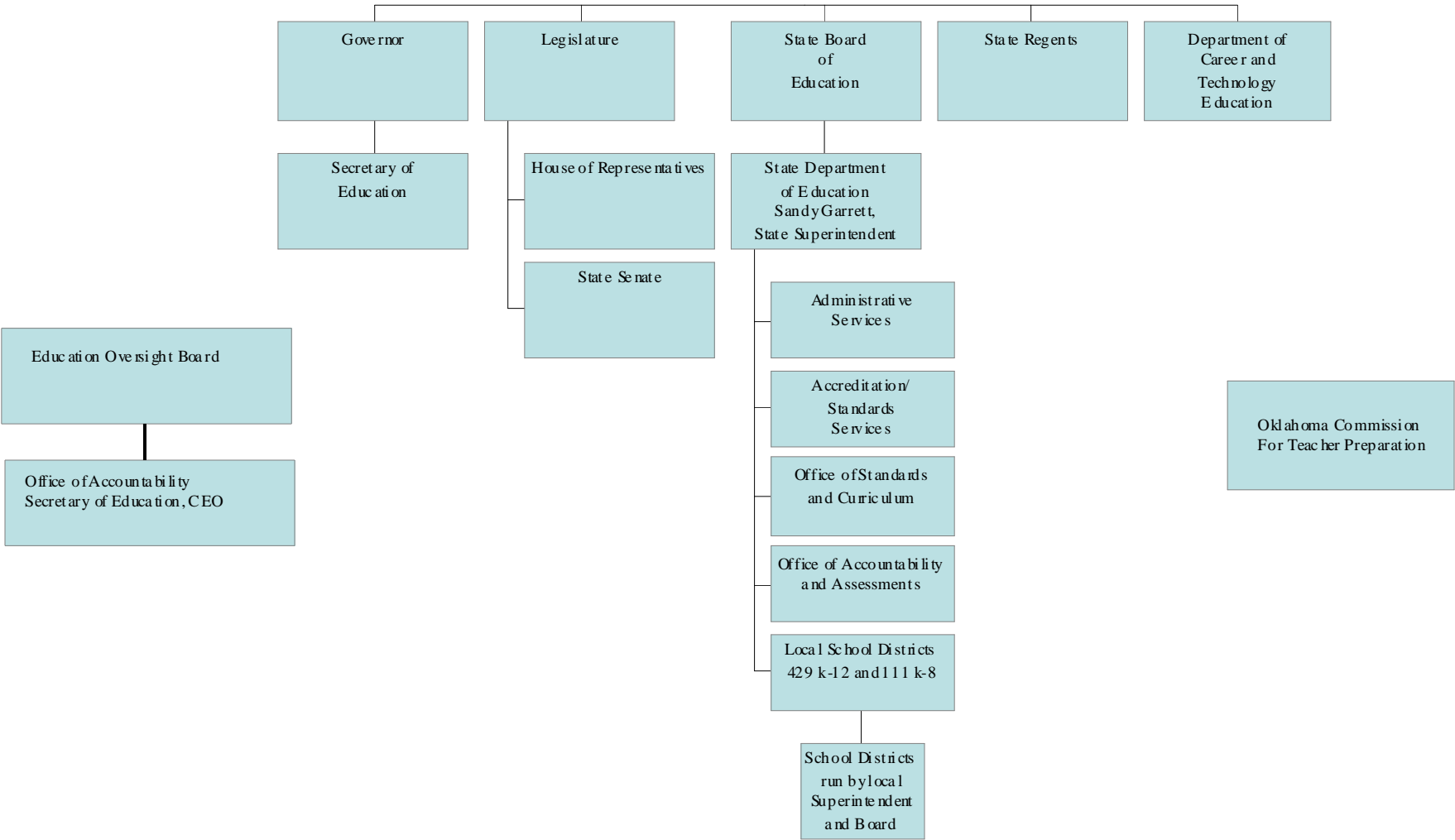
The Board of Education, with the Superintendent as president, shall supervise the public schools, and the Governor, Secretary of State, and Attorney general are ex-officio members (see Section XIII B). The Board of Regents shall include 9 Governor appointed members: 1) a member to serve a one year term; 2) a member to serve a two year term; 3) one member to serve a three year term; 4) one member to serve a four year term; 5) one member to serve a five year term; 6) one member to serve a six year term; 7) one member to serve a 7 year term; 8) one member to serve an 8 year term; and 9) one member to serve a 9 year term (see Section XIII B1).

The legislature, according to the constitution, shall

“establish and maintain” a system of checks and balances for the major officers, including all superintendents (see Section V60). The Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor, and Superintendent of Public Instruction shall serve four-year terms.

The main elements of the state governance structure relevant to K-12 accountability are shown in Figure 2.1.

Figure 2.1 Overview of Main Governance Components of K-12 Educational Accountability in Oklahoma



There are several noteworthy features of Oklahoma's educational governance system.

First, there are essentially *three* branches of educational oversight, one for K-12 (the State Board of Education (SBE)), one for Career and Technology Education and one for higher education. *Each of these boards is set up somewhat differently.* For example, the State Superintendent for Public Instruction is Chair of the State Board of Education and the State Board of Career and Technology Education but is also a member of several other boards. Further, the head of the SBE is elected, whereas other Board heads are appointed.

Second, with one exception (Indiana), in no other state but Oklahoma is the *State Superintendent also the Chair of the State Board of Education.* In other states either the Governor or the board itself appoints its President/Chair. Further, in Oklahoma the State Superintendent is a member of many other Boards and Commissions such as State Board of Equalization and the School Land Commission.

Third, unlike in many states, the Oklahoma *State Superintendent is elected in a partisan election.* The current Superintendent of Public Instruction, Sandy Garrett, was first elected in 1990. Less than 50% of registered voters in Oklahoma generally vote in these elections.

Fourth, of all statewide elected offices *only the Governor and legislature are subject to term limits.* Members of the state legislature are limited to twelve cumulative years between both the house and the senate with members in the house serving two-year terms and senators serving four-year terms. Annual turnover in the Oklahoma state legislature is between 5 and 40 percent (Oklahoma House of Representatives, 2007). Term limits do not apply to the State Superintendent for Public Instruction.

Fifth, since 1971 the Governor has usually appointed a Secretary of Education. This person has essentially been the chief policy advisor on education to the Governor. They do not manage any administrative agency and typically have only a handful of staff.

The Secretary was however given a specific role in legislation relating to accountability.

According to HB 1017, “The Secretary shall also identify districts not meeting their Academic Performance Index goals, have executive control over the Educators Indicators Program and its annual reviews, review and comment on the progress and effectiveness of the State Board of Education and the State department of Education, analyze the revenue for all education systems relating to the common school and create public reports when appropriate, and recommend changes in state funding or legislation to the Speaker of the House, President Pro Tempore, and the Governor when appropriate.”

The current Governor, Brad Henry, chose not to appoint anyone as secretary when he took office in 2003, and the position remains unfilled.

2.2 Main Components of Standards-Based Accountability

Oklahoma created a statewide education accountability system a decade before *No Child Left Behind* (2001) mandated one. Oklahoma’s accountability system is laid out in several pieces of legislation, starting with Senate Bill (SB) 183 and House Bill (HB) 1017 in 1989. The SB 183 established a “system of declaring schools districts academically at risk because of low test scores. The bill [gives] the State (OK) Department power to intervene in an at-risk district’s operations” (March 30th 1989 House Ed committee report).

As Figure 2.1 shows there are several departments and organizations responsible for Oklahoma’s accountability system. The SDE manages standards-setting, assessment administration, data reporting and enforcement of rewards and sanctions within the accountability system.

2.2.1 Standards-Setting

According to 70 O.S. § 11-103.6 (a), the State Board of Education is responsible for the academic standards for public schools grades PK-12. The Office of Standards and Curriculum within the SDE, along with a committee of classroom teachers, curriculum directors, higher education professionals, and Oklahoma’s business community when available, develops the *Priority Academic Student Skills (PASS)* program, Oklahoma’s state standards. PASS serves as “a set of specific school academic standards covering all areas of a student’s growth: language, mathematics, science, social studies, and the arts.” The SDE supports this committee to develop the standards and it’s also responsible for setting test construction guidelines, developing tests through an independent contractor, defining performance level descriptors, setting test cut scores, and administering the tests.

Along with the PASS program, Oklahoma has a new high school curricular program, Achieving Classroom Excellence (ACE). The ACE legislation requires students to take a college-prep high school curriculum unless parents opt out. The Office of Standards and Curriculum oversees the creation and adaptation of the ACE standards. Starting in 2008, 9th-graders have to pass 4 of 7 End-Of-Instruction (EOI) exams: the mandatory Algebra I and English II exams, and two out of Algebra II, Biology I, English III, Geometry, or U.S. History.

2.2.2 Student Assessment and Other Data Collection

Housed within SDE's Office of Accountability the Oklahoma School Testing Program (OSTP), created by HB 1466 in 1985, is the main student assessment for the state's accountability system. SB 183, which required norm-referenced tests in grades 3,5,7,9, and 11, expanded the OSTP in 1989. In 2000 all norm-referenced tests were dropped, and were replaced by 4 EOI (course specific Criterion Reference Tests) for high school: English II, U.S. History, Algebra I, and Biology I, and the complete Iowa Test of Basic Skill battery for 3rd graders. In 2002 the Math and Reading sections of the Stanford 9 replaced the Iowa test. CRTs were added to 4th grade in 2005, and 6th and 7th grade in 2006.

Since its inception, the OSTP has changed both the format of the tests (i.e., norm-referenced, curriculum referenced, end-of-instruction) and testing companies hired. Riverside provided the norm-reference tests from 1985 to 2001. Harcourt-Brace provided the CRTs from 2001 to 2005. CTB McGraw-Hill provided the CRTs from 1998-2000, and then the EOI tests starting in 2001. Data Recognition Corporation took over the CRTs in 2005.

Oklahoma created an *Academic Performance Index* in 1999 to assess schools and amended it soon thereafter to align with NCLB. The 7 criteria used to assess schools are: 1) Attendance rates for students; 2) Dropout rates; 3) Results of the OSTP; 4) Advance Placement participation; 5) Graduate rates for secondary school students; 6) Scores of the American College Test (ACT); and 7) College remediation rates.

Like most states, Oklahoma collects a wealth of other data besides student assessments, for compliance purposes, almost all of it via local districts reporting to the SDE. However, there is currently no statewide longitudinal student-level data system unlike the "gold standard" in Texas, Florida, New York, North Carolina and a handful of other states. In 2006, the State House passed HB 2641 which calls for the SDE "to construct and implement the student record system," the Wave, by no later than July 1, 2007. The program should, according to HB 2641, contain the following elements:

- Extensible Markup Language (XML), which defines common data formats used during communication between disparate systems;
- Web services protocol developed by the World Wide Web Consortium, which enables systems that are physically separated but connected to the Internet to be combined to permit complex operations;

-
- Schools Interoperability Framework (SIF) version 1.5 specifications, or any updated versions of the specifications, which enable school district software management systems to communicate with each other. The student record system shall include, but not be limited to, the specifications for course identifiers, state standard formatting, content formatting, and assessment formatting specification;
 - United States Department of Education Performance-Based Data Management Initiative (PBDMI) data exchange guidelines with data elements capable of providing reporting on federal educational programs; and
 - Defined state data codes to ensure consistent reporting from school districts including, but not limited to, data codes for course identifiers, entries, gains, and losses. Current data codes for teacher certification and the Oklahoma Cost Accounting System shall be extended to match other defined data codes.

2.2.3 Data Access, Reporting and Analysis

The Office of Accountability and Assessments within the SDE is responsible for the OSTP, NAEP, API, AYP, and creating state-, district-, and school-wide assessment reports. In doing so, the SDE produces an annual summary of statewide OSTP results, and district reports (roughly 18 pages) comparing the district's results to the state's. These are made available before the start of every school year at: www.sde.state.ok.us/AcctAssess/API.html State Report Cards.

The state's original accountability legislation in 1989 (in HB 1017) created one new agency *outside* of the SDE, the Education Oversight Board (EOB) which operates the Office of Accountability (OA) run by the Secretary of Education. The Board is comprised of the House and Senate chairperson of the respective education committees, and a group of laypersons appointed by the governor, president of the senate, and the speaker of the house. (Currently since there is no Secretary of Education, the office does not have a CEO in the sense implied in the enabling legislation. Rather the Executive Director leads the office under the guidance of the board and with administrative functions and space provided by the Regents.)

One of the OA's main tasks is to produce a set of indicators - called the Education Indicators Program -- that lays out the performance of schools, districts and the state on students assessments. Each report describes community characteristics, district educational processes, and student performance at the respective levels (i.e., state, district, school). The reports are delivered annually to over 600,000 parents, and available for download from its website, placed in all major public libraries, and reported in the state newspapers. According to the OA website, it collects data from "the State Department of Education, State Department of Career and Technology Education, State Regents for Higher Education, Office of Juvenile Affairs, State Department of Commerce, The College Board, ACT, and through their own in-house survey. In all, over 100 statistical measures of curriculum, budget, educational programs, student performance, and community characteristics are generated and provided to education stakeholders."

2.2.4 Rewards and Sanctions

There are three reward programs for schools that meet or exceed API growth targets: the Academic Achievement Award (AAA), the Academic Performance Award (APA), and the state and national Distinguished Schools Program.

HB 1593, which created the *Academic Achievement Award* (AAA), overseen by the SBE,

- *shall provide monetary awards to qualified employees at the top three schools that attain the highest overall student achievement and the top three schools that attain the highest annual improvement in student achievement as measured by the Academic Performance Index (API) in each of five groups based on average daily membership (ADM).*

The first place schools receive \$3,000 per employee, \$2,000 per employee for second place schools, and \$1,000 per employee for third place schools. It also recognizes Title I Schools that meet API and significantly close the achievement gap between subgroups of students or exceed their adequate yearly progress (monetary). The AAA program also provides employees at schools that attain an API score of 750 or higher for every student tested, and at schools that attain an API score of 1500 for all regular education students tested a monetary bonus, provided the state has enough funding.

The second, created by HB 1499, the Academic Performance Award program rewards districts and individual schools that meet or exceed the expected growth targets established by the SBE:

- the *State Academic Performance Award* Program – (a) All public elementary and secondary schools that make AYP, shall be recognized as Distinguished Schools and eligible for a monetary award, if available, as established by the State Academic Performance Index (API) Program (O.S. § 70-30-152).

And the third, national and state Distinguished Schools Program, honors schools that significantly close the achievement gap with monetary awards—the amount depends on federal allocations.

Non-monetary rewards include congratulations from the State Superintendent of Public Instruction, the Governor or their designee, the Representative and Senator representing the school district, and a flag for each school achieving Distinguished status.

The OA conducts the Oklahoma School Performance Review, which are yearly performance reviews of school districts that: 1) have administrative costs which are above expenditure limits; 2) have a district API that is lower than the state average; 3) Governor or State Superintendent of Public Instruction request; and 4) the majority of the district's board of education requests a review. If a district is reviewed for any of the first three reasons, the OA bears the cost of the review, but if the district requests the review then it bears 25% of the entire cost, and the Office of Accountability covers the rest. The Office of Accountability also engages in follow-up,

outreach, and technical assistance to the districts under review to aide in the implementation of its recommendations. However, it does not have any authority to act on the information it collects – it cannot implement specific solutions. This is the responsibility of the SDE and the local district.

Oklahoma school law permits the SDE to allow districts with no schools identified as low performing or “high challenged” are given more reporting autonomy. Greater reporting autonomy means that they do not have to file the following reports to the State Board of Education: 1) The Comprehensive Local Education Plan; 2) the School improvement plan; 3) the professional development plan; 4) the capital improvement plan; and 5) the reading sufficiency plan.

2.3 Conclusions

Like most states, Oklahoma’s standards-based accountability system largely evolved *within* the context of its existing governance structure. This structure is one in which the major role is played by the SDE. The constitution makes the State Superintendent both the President of the State Board and leader of the SDE, and term limits affect the legislature and Governor but not the State Superintendent. The set up therefore vests considerable authority in the office of the State Superintendent. Major decisions about test design and contracts, data reporting, and rewards and sanctions are left to the SDE. Technically the SBE makes the “big” decisions—e.g., API bonuses, curriculum standards—according to the constitution.

The one wrinkle in Oklahoma’s accountability governance accountability concerns the establishment of the EOB’s Office of Accountability (OA) as an independent agency charged with some reporting and review functions. However, it’s role is statutorily limited in at least two ways—it is dependent on state agencies (including SDE) for the collection of all performance and most other data, and it cannot implement recommendations that result from its school reviews leaving that to the SDE and the districts and schools themselves.

CHAPTER 3. THE EFFECTIVENESS OF EDUCATIONAL ACCOUNTABILITY IN OKLAHOMA

As noted in Chapter 1, assessing the effectiveness of educational governance is complex because its relationship to student achievement is indirect, and many factors combine to contribute to how much students learn.

In this section we analyze how well Oklahoma organizes its education accountability system, drawing upon student test performance data, assessments of the state completed by both external and in-state groups, and our stakeholder interviews. We first discuss the major components of the standards-based accountability system, and then offer a summary and overall assessment.

3.1. The Effectiveness of the Components of Standards-Based Accountability

As a basic evaluative tool, we use the major structural components of educational accountability outlined in Section 2.2 above to organize our findings. Our conclusions are shown in Table 3.1. We discuss the evidence for each finding in detail in the sections that follow.

Table 3.1 Summary of Findings by Major Oklahoma Accountability System Component

<i>Component</i>	<i>Overall Rating</i>
Standards-Setting	
Content Standards	Average
Performance Standards	Very Weak
Student Assessment and Data Collection	Weak
Data Reporting	Weak
Rewards and Sanctions	Average

3.1.1 Standards-Setting

Standards-setting involves a number of sub-parts, including specifying what it is students should learn in terms of curriculum, content standards, as well as judgments about how much of this content students should be expected to learn, performance standards. The latter are typically reflected in how the state measures which students are deemed “proficient.” We can evaluate

standards in terms of the process by which they are developed as well as the final product, the standards themselves, and attainment of those standards in terms of student achievement.

In general, **Oklahoma's content standards appear to be fairly well developed.** Among our interviewees, most (though not all) believed that the state's standards were quite good, and had been improving over time. No respondent thought the standards were excellent, but none believed they were terrible. Several stakeholders commended various efforts to improve the standards over time by, for example, participating in benchmarking exercises with other states.

Several external analyses appear to confirm this assessment. For example, Achieve Inc. noted that Oklahoma's standards were often written clearly and in measurable terms: "With a few notable exceptions, the standards emphasize performances that are measurable. For example, students are regularly asked to 'identify,' 'analyze,' 'construct,' 'evaluate' and 'describe'" (Achieve, 2002, p. 27). *Education Week* in its annual "Quality Counts" review of each state, gave Oklahoma standards an above-average A-. The Fordham Foundation gave the state's standards a C+ for quality, again slightly above the national average. In particular, they noted that the English standards are above average with a high quality treatment of phonics and vocabulary for the early grades, but the quality drops off significantly for higher grades—in particular "literature is addressed poorly and that alone is important enough to knock down Oklahoma's grade significantly. Authors and their works, genres, and pieces of cultural or historical significance are not given nearly the attention they deserve," and "Oklahoma does a high-quality job in the earlier years only to see it fall away at the high school level, where literary study takes on seminal importance" (Finn, Petrilli, & Julian, 2006, p.99). Mathematics standards were judged as more mediocre, and the science standards were problematic.

Although the content standards appear to be reasonable, there is considerable evidence that **Oklahoma's performance standards lack rigor.** Support for this conclusion comes from an examination of student achievement data, external and internal independent analyses, and stakeholder interviews.

One piece of evidence is student achievement. Changes in tests, tested grades and subjects over time make it difficult to construct a consistent time series of performance on Oklahoma's own tests. However, in general, OSTP results for grades 3-8 suggest percent proficient or satisfactory in the 70-91% range over the past three years. In third grade for example the percent proficient in 2007 was 91% in reading and 70% in mathematics; in 8th grade the figures were 85% for reading and 82% for mathematics (Oklahoma State Department of Education, 2008). In some subjects and grades, scores have risen over the past decade while in others they appear to have fallen. What is striking is how high these proficiency rates appear to be. This high level of proficiency suggests either Oklahoma's students are performing at very high levels on rigorous performance standards, or that the performance standards are weak.

The only valid external benchmark for student achievement within the U.S. is the National Assessment of Educational Progress (NAEP). Although there are valid critiques of the NAEP -- as a low-stakes test partly unaligned with state-specific curricula -- it is widely regarded as a

valid indicator of performance *across* states. Table 3.1 provides data on state test scores (% scoring at least proficient) versus NAEP scores in various subjects and grades across selected states.

Table 3.2A Percentage of Students Proficient on State Tests Versus NAEP, 1998 – 2007

	Oklahoma		Florida		Texas		Michigan		New York		California	
	NAEP	State	NAEP	State	NAEP	State	NAEP	State	NAEP	State	NAEP	State
4th Grade Reading												
1998	30				28	86	30	58.6	29		20	
2002	26		27	55	28	93	32	56.8	35	62	21	
2003	26		32	60	27	86	32	75	34	64	21	39
2005	25	91	30	71	29	80	32	83	33	70	21	47
2007	27	94	34	68	30	84	32	84	36	68	23	51
4th Grade Mathematics												
2000	16				25	87	28	74.8	21	65	13	
2003	23		31	54	33	88	34	65	33	79	25	45
2005	29	82	37	64	40	82	38	82	36	85	28	50
2007	33	86	40	69	40	86	37	86	43	80	30	56

Sources: National Center for Education Statistics, 2008; Oklahoma State Department of Education, 2008; Florida Department of Education, 2008; Texas Education Agency, 2008; Michigan Department of Education, 2008; New York State Education Department, 2008; California State Department of Education, 2008.

Table 3.2B Percentage of Students Proficient on State Tests Versus NAEP, 1998 – 2007

	Oklahoma		Florida		Texas		Michigan		New York		California	
	NAEP	State	NAEP	State	NAEP	State	NAEP	State	NAEP	State	NAEP	State
8th Grade Reading												
1998	30	75	22		27	85			32		21	
2002	28	77	27	45	31	94	32		32	44	20	
2003	30	78	32	49	26	89	32		35	45	22	30
2005	25	81	30	44	26	84	28	74	33	48	21	39
2007	26	85	34	49	28	89	28	77	32	57	21	41
8th Grade Mathematics												
2000	18	71		51	24	90	28		24	40	17	
2003	20	71	23	56	25	73	28	52	32	51	22	24
2005	21	76	26	59	31	62	29	63	31	55	22	26
2007	21	82	27	63	35	73	29	71	30	59	24	23

Organizing Effective Educational Accountability: The Case of Oklahoma

For *all* states there tends to be a discrepancy between percentages of students deemed proficient on state tests and NAEP. However, the difference is particularly large for Oklahoma, with a spread of up to 61 percent in the case of 8th grade mathematics in 2007. Further, state tests uniformly suggest improvement in achievement over time whereas NAEP does not. Such discrepancies could have several causes - a misalignment of state standards to the NAEP standards, an invalid test instrument, floating cut scores, etc.

A recent Oklahoma state task force concluded that the source of this discrepancy may be attributed to the low bar expressed in Oklahoma's performance standards. The "ACE II Task Force (ACE)" established by the State Senate posited that if "state content and process standards are rigorous and if state guidelines for test construction result in assessments that achieve a high degree of alignment with those standards then it should follow that students who take both the state assessments and the NAEP should perform equally well on both examinations" (Oklahoma State Senate, 2007). An NCES analysis of state proficiency "concluded that this [difference] was due largely to the differences in the stringency of the Oklahoma state standards as compared to the NAEP. In fact, Oklahoma has some of the lowest proficiency cut scores in the nation, with standards for proficiency falling well below the NAEP "basic" standard (National Center for Education Statistics, 2007). Both the Fordham Foundation (Finn, Petrilli, & Julian, 2006) and the U.S. Chambers of Commerce (2007) have also faulted the rigor of Oklahoma's standards.

The apparent weakness of Oklahoma's performance standards was also raised repeatedly by our interviewees. Most stakeholders were very concerned about the lack of congruence between state tests and the NAEP. Respondents were familiar with the ACE analysis and several generally accepted the findings of that panel. Some went further and suggested that the discrepancy reflected a much more serious "culture" of low educational expectations among the population or a belief that performance relative to other states didn't much matter. Some stakeholders indicated they were skeptical of the relevance of NAEP performance levels citing concerns such as whether the state sample was a good representation of Oklahoma's students and whether the high bar was a legitimate target for the state given its history and economy. Others dismissed the critique about representative sampling, instead expressing confidence in the statistical advantages of sampling.

The most nefarious opinion, voiced by both senior state- and district-level stakeholders was that the low performance standards were part of a broader effort to *deliberately* mask true—and low—achievement levels for the benefit of those that operated the system, from the SPI and SDE staff down to district superintendents and board members. "Neither local superintendents or state superintendent want accountability" said one skeptic. Another said s/he believed there was a "deliberate effort to keep standards low." The SPI "wants the numbers to look ok" and "school people don't know and don't want to know." By representing student achievement levels as high and improving, the necessity for major reform was deflected. When state test scores improve "teachers [are] relieved, [the] pressure [is] off them and [they are] not embarrassed" noted one interviewee with district experience. The SDE is "less than open about where we are" noted a state level leader.

In addition to the expectations regarding levels of student proficiency, an important part of a state accountability system is the way standards are set. Process can be important because understanding how standards are developed will affect whether students, educators, parents and voters understand them and regard them as legitimate targets to guide their efforts.

There appears to some evidence that ***the process by which Oklahoma's performance standards are set is insular, opaque and inconsistent***, at least as suggested by our stakeholder interviews.

The content standards are determined by groups of Oklahoma educators and some other external stakeholders working with the SDE. Similarly, the performance standards are determined largely by groups of Oklahoma educators working with the student assessment vendors chosen by the SDE.

In our interviews, one theme that emerged in reference to these processes was the relative lack of input – from *other sectors* within Oklahoma (notably higher education and the business community), and from *experts outside the state*. If a state has a history of poor performance, having within-system educators largely responsible for setting standards is likely to reinforce low expectations and be heavily influenced by “where we are” rather than aspirational goals of what students should achieve.

Whether this sense of a “closed” system is right or not is hard to determine because precisely how the process works is not well documented, particularly in regard to the performance standards in which cut scores are determined to label what is and isn't “proficient”.

The lack of transparency over standards-setting was revealed in a number of other ways. For example, we struggled to find a detailed explanation of performance standards on the SDE website. Some external groups have also commented on this for a similar reason: Education Sector (a Washington DC-based think tank) judged Oklahoma as “not transparent” because it couldn't find information about Oklahoma's cut-scores on the SDE website (Oklahoma State Senate, 2007).

A majority of interviewees expressed strong discontent over what they call an “opaque” process for the articulation of examination cut scores. Suspicions were fed in part by the well known discrepancies between state test performance and NAEP scores as noted above. A second source focused on recent changes in the year to year progress of secondary students taking the Algebra I examination. One frustrated interviewee, for example, commented that “all the accountability records in Oklahoma are highly, highly suspect...the system is useless....they simply change the cut scores. Look, two years ago we had 40% of our students passing the Algebra I test, the next year it was 80%.” In fact, the SDE claims there was nothing improper about this change, save for a change in testing purposes in preparation for new end-of-instruction tests, but evidently the rationale hadn't been adequately communicated. A third source of evidence is the districts themselves who reported not being supplied with cut scores by the SDE, which maintained a “secretive” stance. We heard that several districts, unable to

get the SDE to provide clear information on cut scores, had devised a process to figure them out themselves.

A couple of interviewees with direct knowledge of the standards-setting process highlighted how processes are political rather than technical, with the main goal being to ensure that the percentage of students deemed proficient was high and improving. One said the main motivating question in setting standards was “how many children can we fail?” with the educators telling each other “don’t set the bar too high.”

It is likely that other states have some of the same standards-setting issues reported above. However, our analysis suggests that the lack of credibility in this area seriously undermines the legitimacy of the entire accountability system in Oklahoma.

3.1.2 Student Assessment and other Data Collection

Oklahoma has a comprehensive student assessment system, with most subjects and grades tested. Although resources devoted to testing have fluctuated somewhat, they have risen significantly since 2003 from \$2.3m to \$10.5m in 2007.

Several weaknesses in student assessment seem evident, however. The first, not uncommon across states, is the **frequent changes of testing companies and types of test**. As noted in section 2.2.2, since its inception, the OSTP has changed both the format of the tests and testing companies hired (at least three times for the basic state assessments). As the Office of Accountability commented in its 2007 annual report, this means the test scores fluctuate widely, affecting the quality of reports that can be provided. One interviewee cynically commented that changes in testing companies were “part of the game.” “Until we have confidence in the test scores...[the] system wont work...’.

We heard some **concern about the quality of the state tests**. In particular, several respondents stressed that state standards are not reflected well in the variety of examinations used across grade levels. Individuals with firsthand knowledge of the processes used to align content standards with the tests themselves relayed concerns heard from practitioners about misalignment. This misalignment exists despite efforts by the SDE to provide avenues for practitioners to participate in test development and scoring. These observations are also intermingled with comments about measurement transparency, as noted earlier. Both ACE I and ACE II committees in reviewing the state tests alignment with NAEP urged the addition of constructed response items which “...would be a significant improvement to the quality of Oklahoma state tests...” Of course, these would be expensive. Interestingly, reflecting the lack of faith in student testing, ACE II also recommends that an independent out-of-state entity should grade all constructed response assessments. Further, it was reported that the SDE undertakes little, if any, monitoring of the fidelity of test administration which for some respondents raised concerns about whether the test data should be believed.

Although we are not in a position to judge the quality of student assessments used in Oklahoma, there did appear to be a general lack of faith in the integrity of the student

assessment system almost uniformly expressed by our interviewees. In part, this may simply reflect the highly complex nature of modern, large-scale student assessments. But is also ties back to a lack of adequate communication about test alignment to standards, explanations of changes in scores over time, and a low level of trust in the system.

Another striking feature of Oklahoma's weak testing system relates to SDE's **heavy reliance on private test companies for psychometric consulting services**. Such assistance is common across states, but is typically balanced by complimentary knowledge, experience and ultimately capacity within the respective SDE. A variety of interviewees expressed concern that there is not sufficient staff within the Oklahoma SDE who possess the requisite psychometric or statistical knowledge sufficient to manage test development services. Such capacity is needed for cross-checking alignment between content standards and tests, effective formulation of contract request for proposals for testing companies, catching missteps in the administration of tests, cleaning raw test score data files, and so on.

The heavy reliance on non-SDE experts for psychometric testing services may contribute a variety of problems. It was suggested that, for example, the SDE had not developed an adequate mechanism for monitoring nor adjusting for student mobility. It was also reported that processes for correcting routine data errors were unreliable; despite efforts by personnel in the field to correct glitches in raw test data, these errors remain and appear publically as part of state report cards. The four-fold increase in budgeted expenditures for testing since 2003 appears not to have been met with a commensurate increase in internal staffing.

3.1.3 Data Access, Reporting and Analysis

Standards-based accountability systems cannot function without publically accessible and reliable information about student achievement. Oklahoma's data systems appear to be about average by state standards in terms of information collected. To be sure, some states like New York, Texas, Florida, and North Carolina for example, do considerably better. They have a long history of collecting rich information on students, teachers, and schools over time and linking it together for analytic purposes.

As noted in the previous section, Oklahoma has a full array of student assessments, albeit with issues about their reliability. However, **the state does not appear to have a comprehensive array of other information**. One state-level stakeholder commented that the data are "not rich" and that even basics like a time/date stamp on data entry were lacking. There is "no professional care being taken with the data" another complained. While the legislature has given the SDE considerable resources for the development of longitudinal data it has "taken forever". (We were assured the "capability" now exists.) Another interviewee suggested lack of coordination within the SDE as to data collection, each department focusing on what it required for compliance purposes only. Two district-level interviewees stated that there was "little assistance" from state for use or development of data and that the state system as a whole "was plagued with lack of using, storing, collecting data...".

Concerns exist around **the availability of accountability data**. There exists substantial frustration among education policy analysts and policy makers outside of the SDE with the quality and timeliness of SDE reports. Legislators for example, were particularly critical of SDE responses to requests for information. One stated that “the bureaucrats in the Department of Education can leave you dangling and dangling for years”.

Other policy makers framed the quality and timeliness of SDE reports as “less than open”, characterizing the SDE’s own accounting of their health as overly “rosy”. One interviewee reflected on a recent request for student performance data as being greeted by SDE staff with a “knowing smile”. The implication is that while the request may be made, that they would have to receive approval from senior supervisors before being able to disseminate such information. This approval would likely “go as they always go”, which is nowhere.

In two interviews, with representatives from two different government organizations, respondents indicated efforts within their organizations to prepare federally sanctioned Freedom of Information requests in order to stimulate action on their requests for data from the SDE.

Reporting on school conditions and performance levels, particularly assessment outcomes, is a central feature of an education accountability system. As denoted in Figure 1.1 earlier, assessment reporting links the setting and monitoring of standards with incentive policies. More broadly, reliable and accurate reporting provides descriptive and analytical feedback to policy makers, as well as consumers such as students and families.

The data reporting systems in Oklahoma are confusing. In terms of public reporting of data on school performance, there are two organizational sources of data, the SDE and the Office of Accountability. As previously noted, the Office of Accountability is housed under the Educational Oversight Board. Enabling legislation created the Office of Accountability with the specific mission of providing school report cards. However, after NCLB required slightly different reporting, the SDE decided to create its own Office of Assessment and Accountability – a move the SDE describes as necessary for NCLB-compliance purposes, but which some stakeholders argued was part of a deliberate attempt to create “confusion by design” and another termed a “cheap shot.” **The presence of two units responsible for school report card production creates confusion for stakeholders.** This duplicative system of reporting creates not only problematic redundancies, but weakens educational accountability.

Of the two offices that provide school and district report cards, education stakeholders clearly preferred those issued by the Office of Accountability. We found respondents mentioning the use of those reports for a variety of reasons including public communications (e.g. newspaper reports), school district planning, as well as legislative bill writing and policy-making. These reports are readily accessible online, and in printed format.

More importantly, a variety of reports issued by the Office of Accountability are NOT perfunctory, but rather triggered by whether a school system meets or exceeds a previously set performance standard. Symbolically, a high performing district will receive a “star” on their school report card for exceeding standards. When a district falls below a benchmark, however,

the Office of Accountability may subsidize or fully fund a “soup-to-nuts” evaluation of the district. These comprehensive reports may take 8-12 months to complete and are offered to 4-8 districts per year.

Is the Office of Accountability sufficiently enabled to provide independent and timely reporting on the performance of Oklahoma’s schools? In short no, the Office of Accountability is compromised by two main factors. First, the unit is wholly dependent upon the SDE for the delivery of performance data by which to draft their report cards. This intermediate step appears to delay the timely reporting about the performance of Oklahoma’s children, schools and districts. Though the enabling laws require that raw assessment data be provided directly to the Office of Accountability by private testing companies, this is not the case in practice. Perhaps more disconcerting is the fact that data provided to the Office of Accountability likely includes both corrected and uncorrected data elements. Independent of each other, education stakeholders reported that despite their efforts to correct raw assessment data with the State Department of Education, errors persist in publicized, subject specific assessments.

Second, the Office of Accountability lacks sufficient staffing capacity to provide evaluative reports on all school or districts that fail to meet annual performance benchmarks. The comprehensive reporting mentioned earlier is performed for a small number of underperforming school systems.

The Oklahoma reporting programs described above are confusing in the sense that both OAA and OA independently produce reports on schools, albeit largely based on the *same* data.

The observations about redundant reporting are also an issue addressed by the recent ACE panel. The 2007 ACE Task force recommended that the reports “should be of such a form so that they facilitate interpretation by all stakeholders” and they noted that there is a “lack of communication between the SDE and parents as well as educators on definitions of performance level descriptors and student scores... Parents and the public are confused when a student is described as having achieved ‘satisfactory’ performance when that student has answered only 45 to 64 percent of the test items correctly.” The SDE and OA should collectively, according to the report, remove the veneer that clouds the performance level (advanced, proficient, etc.) cut-score setting process that currently confuses stakeholders.

Finally, accountability reporting is further compromised by a lack of what one interviewee called “critical consumers of education data.” Specifically, ***interviewees were largely unable to identify individuals or organizations within Oklahoma that provide critical analyses of the state’s education system.*** There does appear to be some capacity for the study and investigation of OK state’s accountability system in at least three organizations: University of Oklahoma Center for Education Policy; Oklahoma Council of Public Affairs; and the Oklahoma Business Education Coalition. However, when asked about sources for critical reporting on state education issues, respondents most often mentioned outcomes of legislative taskforces, such as the ACE Committee. Traditional sources of such reporting, inclusive of local colleges and universities, as well as newspapers were often disregarded.

3.1.4 Rewards and Sanctions

Most states in enacting standards-based accountability systems have wrestled with the mix of positive and negative incentives for schools, teachers and students. On the positive side, states have experimented with everything from largely symbolic recognition of stellar performance, to monetary bonuses for individual staff or school wide. On the punitive side, sanctions typically range from public ‘shaming’ to the closure and reconstitution of educational organizations, such as schools. Oklahoma’s experience with accountability rewards and sanctions has elements of both positive and punitive incentives.

Our evidence suggests ***Oklahoma has had some success with setting incentives for school performance.*** Education stakeholders were generally ambivalent about the quality of accountability incentives for Oklahoma’s schools. There were two main incentive systems mentioned during the interviews.

In the first, stakeholders discussed the financial incentives surrounding advancement on the academic performance index. In short, the API provides financial incentives at the teacher level for schools advancing along the index. Legislators and policy makers reported satisfaction over this policy in its ability to illuminate high performing education systems, and by contrast to discriminate those systems from those unrewarded systems.

The second system surrounds the ability of the State School Superintendent to close and reconstitute schools that do not meet targeted performance levels. Despite efforts by the State School Superintendent to reconstitute and close schools, a variety of education stakeholders were critical over the persistent presence schools on the “Needs Improvement” list. One stakeholder stated “It is hard to believe that Oklahoma actually closes schools. There are schools on the Needs Improvement List for years.”

3.2 Effectiveness of Educational Accountability System by Governance Characteristics

The prior sections evaluate the effectiveness of Oklahoma’s educational accountability system by major components.

The following section utilizes the criteria for effective accountability governance as a useful point of comparison. Readers will recall that these criteria were described in some detail in Chapter 1. Again we draw upon data from externally generated reports, school and district reporting, as well as interviews with key education stakeholders to frame our findings.

Table 3.3 Overview of Oklahoma Accountability System By Characteristic

Characteristic	Overall Rating	Evidence
Stable	Mixed	Long tenures of SDE staff and leaders; Frequent changes in test companies; Arbitrary and frequent changes in cut scores on tests.
Accountable	Mixed	SDE is known source for accountability decisions; Periodic popular elections of Superintendent for Public Instruction too weak a mechanism to enforce accountability without added checks/balances.
Innovative, Flexible and Responsive	Very Weak	Few if any external sources of ideas or change; limited oversight to enforce responsiveness; Limited external pressure on SDE from related education organizations (e.g. district superintendents and higher education), related government agencies and advocacy groups.
Transparent and Open	Very Weak	Lack of SDE transparency and openness; closed SDE governance system; insular.
Simple and Efficient	Strong	Accountability decisions are concentrated nearly entirely at the SDE and with the Superintendent of Public Instruction; No substantive oversight or challenges from external constituencies; SDE and SPI maintain near exclusive authority over accountability.

Source: Authors

3.2.1 Governance Stability, Simplicity and Efficiency

Oklahoma's education accountability system may attribute its remarkable stability, simplicity and efficiency to the concentration of political power in the office of the State Superintendent for Public Instruction and the State Department of Education. In the current political context the position of Superintendent has been occupied by a long standing politician, Sandy Garrett, elected by popular vote through several elections. As evidenced by the frequency of reelection, the Superintendent retains a great deal of public support. Such consolidation of power, however, appears to generate specific challenges when implementing education accountability. As one interviewee stated, "everything is passed through the glass of politics."

An overwhelming majority of interviewees, when asked to define the role that the State Department of Education plays in administering education accountability described the system as akin to “the fox guarding the hen house”. From a structural standpoint, the interviewees were speaking with concern about the power wielded in the SPI, specifically citing examples of steps taken to obfuscate policy issues, to be obstructionist towards requests for reports or data, among other complaints. Because of the politicization of the Superintendent’s Office, interviewees report little incentive to highlight and publicly address poor student outcomes.

To some extent this situation is structural – Oklahoma is unique in having a partisan, elected SPI who also serves as head of the SBE and directs the large staff resources of the SDE, is not subject to term limits while Governor and Legislature are, and operates in a state with a part-time legislature. *This combination of governance features almost guarantees a strong SPI.* When combined with a talented politician in that office, the structure concentrates authority in the SPI. On the one hand this enhances accountability and stability; on the other hand it limits the checks and balances within the system. In the context of standards-based accountability which depends on transparency and legitimacy, the structure is problematic. The concentration of authority in a *political* office sets up incentives that at least call into question in the minds of many stakeholders the efficacy of state standards-setting, assessment, and reporting.

Interestingly, the analogy of the *fox guarding the hen house* was never made in reference to any one individual but rather the fact that in terms of educational accountability those involved in setting standards, writing, scoring and reporting on student outcomes all exist under one roof. As one interviewee stated, the organization of educational accountability as administered by the Superintendent is like “having the CEO also in charge of financial accounting.” From our perspective, this is a critique about political position and less about political personality. Interviewees cited frequent examples of strong and effective political strategy emanating from the Office of the State Superintendent for Public Instruction. These observations are a natural outcome of a strong political actor (the Superintendent), among other politicians that may not enjoy long tenures (term limited), and a bureaucracy that has systematically consolidated education accountability functions.

3.2.2 Governance Innovation, Flexibility and Responsiveness

The politicization of education accountability in Oklahoma is in part a function of both political seasonality and the absence of countervailing political forces.

Many individuals expressed strong concerns over the consolidation of power embodied by the Office of the State Superintendent for Public Instruction. These concerns were framed by the Superintendent’s concurrent appointments to the Chair of the State Board of Education, as well as the Superintendent’s position on the Board of Regents for Oklahoma Colleges. Those representing this opinion stress concerns over the Superintendent’s ability to wield influence over policy development and implementation as a function of the Superintendent’s presence on multiple education governance bodies. In part this centralization of power is also a function of the lack of a Secretary of Education, a position that could offer the executive branch its own

influential education policy advocate. Several interviewees cited the Governor's decision to not appoint a Secretary of Education as demonstrating greater deference to the State Superintendent to perform this role.

Education stakeholders also framed Oklahoma's education politics by a term-limited legislative body and a limited culture for legislative oversight. Stakeholders knowledgeable about the role of the State Legislature in providing oversight for the state's education accountability system stressed the detrimental impact of term limits as a main reason why Legislators were ineffective in shaping education policy outcomes in their state. However, not all stakeholders held this opinion. Since 1990 the average annual turnover within the legislature has ranged from approximately 10-30% across both houses. Though annual turnover levels have increased annually from 1998-2008, these levels are still less than one third of all legislators.

Of perhaps greater importance than term limits are two other factors related to political oversight of education accountability. First, the legislature is essentially a part-time, lay body politic that meets only a few months a year (as opposed to other states where the legislature is essentially a year round, full-time undertaking). Many legislators represent rural districts which have many school districts. These districts also have influential Superintendents and school board members who are often visible and respected in their communities. Several stakeholders we talked to indicated that these vested interests exerted considerable pressure to "not dig too much" into achievement levels, and to defer technical educational decisions to the local districts and the SDE.

Second, a few interviewees commented on a lack of will and capacity to act upon concerns over education policy issues. One interviewee stated, "Our Legislature has chosen not to oversee education." In some states there are a number of skilled analysts with a great deal of long-term knowledge of education policy and the technical ability to offer effective oversight of complex issues such as cut-score determination, testing contracts, data reporting, and so on. These may be legislative staff, or located in an independent Legislative Analysts' Office (e.g. California), or in independent groups of academics and others. Our impression was that in Oklahoma there are only a very small number of individuals at the Legislature who have the time and expertise to offer a check on the resources of the SDE.

Other stakeholders knowledgeable about legislative processes were asked about efforts to constrain or otherwise force policy compliance by the State Department of Education. A variety of governance techniques are widely known and understood to be available by interviewees, including the ability of legislators to withhold education funding, to withhold votes on key spending issues, to draft more precise policy legislation, as well as to subpoena SDE staffers over policy concerns. However, despite these oversight levers such actions are not undertaken and frustration over the politics of education accountability persists.

3.2.3 Governance Accountability

In Oklahoma, there are two loosely-coupled organizations engaged in reporting student, school and district outcomes—a central feature of education accountability.

Though duplicative and confusing for a variety of previously stated reasons, the existence of a reporting culture at the SDE and from the Education Oversight Board (the Office of Accountability) offers some promise for reform. There are clear elements within state government for both compliance-based reporting, as well as a desire to offer unvarnished perspectives on the basic performance of Oklahoman children, schools and districts.

There are substantive limitations however. The SDE reporting culture appears quite conservative in comparison with fairly robust reports produced by the Office of Accountability. School report cards, for example, are highly detailed and extensive at the Office of Accountability, frequently referenced by interviewees as useful in planning educational programs. By contrast, those at the SDE are narrowly constructed and largely facilitate compliance functions. It is interesting that the Office of Accountability has been so successful given their very limited staff, and a status viewed somewhere between a “toothless tiger” and producer of “impressive work.”

Yet despite these two offices, education stakeholders frequently reported a gap in the Oklahoma’s capacity to ensure educational accountability. One interviewee mentioned simply, that “no one has deep enough understanding to cry out when bad things happen.....there is no agency or inspector general to say whether SDE is doing its job.” This latter quote explicitly raises the question of whether in the absence of substantive and countervailing political forces (e.g. strong legislature, a culture of data based reporting, strong executive branch interest in education, etc.) there is a role for an autonomous inspectorate for education accountability.

If the current bureaucratic and political structure has not guaranteed education accountability in Oklahoma, then some type of structural reform is needed. We detail some recommendations in the next chapter.

**CHAPTER 4: RECOMMENDATIONS FOR IMPROVING EDUCATIONAL ACCOUNTABILITY
IN OKLAHOMA**

There is no perfect blueprint for organizing standards-based educational accountability. As states have developed their systems they have set up institutions and processes to handle the various components of the structure — standards-setting, student assessment, data collection, data reporting, rewards and sanctions — differently. It is fully expected that these systems evolve over time as the external context changes and as elements prove to be more or less effective. Oklahoma, like most states, has tried to use the structures established for an input-based compliance operation for one in which school districts are held accountable for outcomes.

Oklahoma has a fairly lengthy experience with standards-based accountability. The good news is that all the essential elements of the system are in place. The strong position of the elected State Superintendent as head of the SBE and SDE provides for clear accountability. The Office of Accountability as an independent agency provides for independent data reporting, in principle at least.

The bad news is that it appears overall levels of student achievement are low by national standards. Most significantly there seems to be a significant lack of trust in the way the system operates – in particular in the fidelity of student assessment. The large discrepancy between NAEP achievement levels and OSTP assessments, and stakeholder’s perceptions of a lack of transparency in the way standards are set, data can be accessed and how it is reported, appear to us to be significant problems. The strong position of the SPI and SDE is a cause for concern among many stakeholders and reflects a relative imbalance in the structure, absent other checks and balances. This problem is magnified by a lack of capacity in the legislature, Office of Accountability and in the academic community in the state to provide for the kind of policy analysis and research that are necessary for guaranteeing data improvements, honest data report and policy adjustments over time. Although there are issues with the quality of content standards and the willingness to aggressively follow through on rewards and sanctions, these issues are less serious.

In summary, the incentives in the current structure in Oklahoma do not provide for sufficient faith that standards are set at a high level, that achievement is measured accurately and data are available freely. The solution is to change the incentives through a series of structural adjustments.

Most critically, any change must:

- Increase the *transparency* of standards-setting, student assessment and data collection.
- Improve the standards-setting, test design and data reporting processes to include more *external input* and build *greater technical expertise*.
- Strengthen the *checks and balances* on all parts of the accountability system including systematically enhancing legislative oversight and research capability in the state.

Any change to the structure must attempt to enhance - or at least not weaken - how the state's governance stacks up on the five criteria discussed above – stability, accountability, innovation, transparency and efficiency. Changes should also be made in a way that promotes the most *flexible long term arrangements and capacity building*, rather than short term expedient fixes to get around a current problem.

We outline several possible changes below, beginning with those that we believe are likely to have the most effect.

Recommendation 1. Strengthen the role and autonomy of the Office of Accountability.

Oklahoma had the wisdom in its enabling accountability legislation to establish a semi-autonomous agency with responsibility for publishing school report cards. However, the office as it currently operates is very weak. It has limited number of staff and is completely reliant on the SDE for test information. Consequently its ability to provide an effective check on the SDE and provide unvarnished information to the public is compromised. Given that the office already exists, we believe it offers the best promise to substantively increase transparency and legitimacy of the educational accountability system.

We envision a new Office of Educational Accountability with significant capacity to provide objective, timely, compliant, and policy relevant services for Oklahoma. Staffing of such an office would include highly ranked civil servants, on an equal footing of those from any branch of Government. This Office would have clarified operational roles with the SDE, and wholly assume responsibility for test administration, test alignment with standards, definition of test cut scores, data warehousing, dataset dissemination, and public reporting. Staffing for this Office would include enhanced capacity to provide both psychometric, statistical and database management reports about educational accountability.

Viewed in this fashion, the SDE and SBE would continue their important roles in *defining* academic content standards as well as *administering* resources and policies central to improving performance towards those standards. However, reporting Oklahoma's compliance with federal statutes, such as No Child Left Behind, would become the responsibility of a new Office of Educational Accountability.

This new revised Office of Educational Accountability would serve a role as an independent auditor, and therefore require bureaucratic separation from the State Department of Education. Possible locations include the state Regents, the State Comptroller's Office, or division of the budget.

Wherever the new office is situated, it should include *strong links to higher education and business* as the recipients of the graduates of the K-12 system. This means representation at key decision making venues as well as a close working relationship including the sharing of data. Ideally, the transformed agency should be charged with building a comprehensive set of data from Pre-K through higher education and into the labor market. This means linking data already available at the state Regents with K-12 data.

The experience of Massachusetts aids us as we conceptualize this independent agency. In 2000, the legislature created the Educational Quality and Accountability Office (EQA)¹. This office was separate from the Department of Education and worked under the jurisdiction of a 5-person citizen board. The office was charged with providing independent audits of programs and fiscal operations of public schools and districts. The 5-person board was appointed by the Governor and members served 4 year terms.

Staffing for the EQA ranged from 5 full-time personnel in 2003 to 13 in 2006. In addition, the office employed a number of independent contractors to enhance the capacity of the agency,

In terms of budget, the following chart lists the agency's budget and staff. In general, Massachusetts allotted between \$2.2 – \$3.5 million in a given year for this auditing office. Finally, the chart also lists how many districts the office audited in a given year. In addition to the district audits, the EQA office has also conducted over 80 individual reports of public schools or charter school renewals:

Table 4.1 Annual Resources, MA Agency of Educational Quality and Accountability

	2002	2003	2004	2005	2006	2007	2008
Budget	2.25	2.48	2.60	2.69	3.44	3.43	2.97
Staff		5 (17)	6 (29)	8 (35)	13 (39)	13 (48)	9 (32)
# Of District Audits		17	42	44	49	47	13

Budgets in millions.

Staff is full time. Part time evaluators/contractors in parentheses.

Source: <http://www.eqa.mass.edu/reports/annual.asp>

These resources pertain to the *auditing* function for the Office of Accountability. *In addition, resources currently devoted to SDE's effort at data collection, state test alignment, and data reporting would become part of the office's budget.* In addition the new Office of Accountability may require resources to encourage research on Oklahoma's education system in partnership with the State's research universities.

¹ <http://www.eqa.mass.edu/home/index.asp>

Recommendation 2. Develop external capacity and culture for the examination of Oklahoma's educational performance.

Critical reflection and research on education policy issues in Oklahoma would benefit from an agile, inter-agency program for the study of education policy and outcomes. One model is New York State's highly successful Education Finance Research Consortium.² Oklahoma's consortium should have as its goal the periodic study of education policy issues of critical importance to Oklahoma. Policy issues in a formal sense concern explicit legislation, administrative code, and judicial rulings that concern the actions of educational accountability by the structures of government (e.g. State and local education organizations). Policy issues also include the study of education performance at all levels of governance. This Consortium could administer a small-grants program for research studies on Oklahoma education policy and accountability issues. Advisory board members shall include education policy and research faculty from state and regional universities, and include staff liaisons from the SDE and Office of Educational Accountability.

Other configurations are also possible. The Office of Accountability could develop a research capability itself or do so in conjunction with the University of Oklahoma and/or Oklahoma State University. An independent organization may be a partnership of relevant stakeholders, and be established with some state money and additional philanthropic support.

Whatever arrangements are adopted, we believe it is essential for the state to develop a small group of highly skilled policy analysts who use state accountability data. Only in this way will there be sufficient responsiveness of state agencies to ensuring accurate and timely data.

Recommendation 3. Change the role of the SPI.

In theory a strong, elected State Superintendent may be an important component of accountability. However, the current structure does not work well in that the direct electoral accountability of the SPI is too weak, and the lack of checks and balances from the legislature, State Board or other agencies is far too weak. Although, we do not have sufficient information to judge whether the existing setup has led to poor outcomes, it is clear that many stakeholders lack faith in the SPI and SDE on perception grounds alone this appears to us to be serious enough to warrant consideration of structural changes to the state's accountability system.

Some possible options for change include the following.

- One option is to *eliminate the elected SPI position*. This would require a constitutional change but other states have done this in the past. The SPI would be appointed either directly by the Governor or by the State Board of Education. Ideally the position of Secretary of Education would be merged so there is only one state-level educational leader.
- If an elected SPI is retained, there may be ways to improve elections law such as term limiting the SPI (or not term limiting the Governor/legislature), requiring the election be non-

² See <http://www.albany.edu/edfin/index.html>

partisan, increasing openness in campaign financing, limiting lobbying of the legislature by SDE or local school districts, and so on.

□ It also makes sense for the SPI to be only an *ex officio* member of the State Board of Education not its President, so that the SBE becomes a more independent body with a direct connection to the Governor rather than so beholden to the SDE. Similarly, although it makes sense for the SPI to be on the Regents and Career and Technology Education Boards, the role should be *ex officio*, and not as head.

The first two recommendations we make are relatively easy to do in a technical sense as they simply require legislation and funding, as opposed to constitutional change. Significant resources will be required to radically change the role of the Office of Accountability; attracting top quality staff able to manage testing contracts and build a comprehensive data warehouse will be needed.

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APPENDIX A: INTERVIEW PROTOCOL**Semi-Structured Interview Protocol****Perspectives on Oklahoma Accountability Governance Reform**

Overview: The purpose of our interview is to better understand the Oklahoma State education accountability system. Our questions focus upon the formal and informal components of accountability, including data collection, test administration, reporting and incentives. Your responses will be kept anonymous, and will be used in combination with other respondents, to describe the current functioning of the overall system.

I. Background Information on Individual Respondent

- Professional capacity and / or relationship to OK DOE

II. Assessing stakeholder views on how OK Accountability structure functions

- Does the following organizational chart accurately depict the OK accountability system?
- Is this an accurate summary of the major structural divisions?
- In your opinion, what is the overall purpose of the accountability system
- In what ways does **the multi-divisional structure** impede this goal?
- In what ways does **enabling legislation** impede this goal?

III. Effectiveness of existing structure (Major divisions of accountability)

- Is the state's *data collection system* effective for the support of its accountability system?
- Is the *test development and administration* system effective for the support of its accountability system?
- Is the *test reporting* system effective.....? (e.g. timely reporting for decision making)
- Is the system for *governing rewards and sanctions* effective in the support of its accountability system? (e.g. who decides on rewards and sanctions)

IV. Transparency of accountability roles

- How does the Governor's role in accountability differ from that of the Legislature?
- In what way is the State Board involved in the accountability system, by comparison?
- Which unit of government most influences the sanctioning of districts and schools under the accountability system? Is this appropriate?

V. Conclusion : Are there questions that we should have asked about the OK accountability system but missed?

APPENDIX B: ADDITIONAL TABLES AND FIGURES

Table B.1 EDUCATIONAL GOVERNANCE ARRANGEMENTS BY STATE

State	Method of selection of state board members	Number of voting members	Length of term	State Board established in statute or constitution	Selection of chief state school officer	Selection of state board chair/ president	Authority for teacher licensure
AL	Partisan Ballot	8 plus governor	4	Constitution	Appt. by SBE	Governor is President	SBE
AK	Appt. by Gov. confirmed by Legislature	7	5	Statute	Appt. by SBE, approved by Gov.	Elected by SBE members	SBE
AZ	Appt. by Gov. confirmed by Senate	11, including CSSO	4	Constitution	Partisan Ballot	Elected by SBE members	SBE
AR	Appt. by Gov	9	7	Statute	Appt. by SBE	Elected by SBE members	SBE
CA	Appt. by Gov	11, including student	4	Constitution	Nonpartisan Ballot	Elected by SBE members	Independent board
CO	Partisan Ballot	8	6	Constitution	Appt. by SBE	Elected by SBE members	SBE
CT	Appt. by Gov. confirmed by Legislature	9	4	Statute	Appt. by SBE	Appt. by Gov	SBE
DE	Appt. by Gov. confirmed by Senate	7	6	Statute	Appt. by Gov.	Appt. by and serves at the pleasure of the Gov.	Independent board, but its regulatory actions require approval by SBE
DC	5 by nonpartisan ballot 4 appt. by mayor	9	4		Appt. by SBE	Elected by voters at-large	

State	Method of selection of state board members	Number of voting members	Length of term	State Board established in statute or constitution	Selection of chief state school officer	Selection of state board chair/ president	Authority for teacher licensure
FL	Appt. by Gov.	7	4	Constitution	Appt. by SBE	Appt. by Gov.	SBE
HI	Nonpartisan Ballot	13	4	Constitution	Appt. by SBE	Elected by SBE members	Independent board
ID	Appt. by Gov.	8	5	Constitution	Nonpartisan Ballot	Appt. by and serves at the pleasure of the SBE	SBE
IL	Appt. by Gov.	9	6	Constitution	Appt. by SBE	Appt. by Gov.	SBE
IN	10 members appt. by Gov. plus elected State Superintendent	11	4	Statute	Partisan Ballot	State Supt. Serves as chair	Department of Ed with advisory licensing board
IA	Appt. by Gov.	9	6	Statute	Appt. by Gov.	Elected by SBE members (2-year term)	Independent board
KS	Partisan Ballot	10	4	Constitution	Appt. by SBE	Elected by SBE members (2-year term)	SBE
KY	Appt. by Gov.	11	4	Statute	Appt. by SBE	Elected by SBE members	Independent board
LA	8 elected by nonpartisan ballot; 3 appt. by Gov.	11	4	Constitution	Appt. by SBE	Elected by SBE members	SBE
ME	Appt. by Gov.	9	5	Statute	Appt. by Gov.	Elected by SBE members	SBE
MD	Appt. by Gov.	12 incl. student member	4	Statute	Appt. by SBE	Elected by SBE members	Shared responsibility between SBE and separate licensure board

State	Method of selection of state board members	Number of voting members	Length of term	State Board established in statute or constitution	Selection of chief state school officer	Selection of state board chair/ president	Authority for teacher licensure
MA	6 appt. by Gov.; 3 voting ex officio members	9 incl. student member	5	Statute	Appt. by SBE	Appt. by Gov.	SBE
MI	Partisan Ballot	8	8	Constitution	Appt. by SBE	Elected by SBE members	SBE
MN	None			None	Appt. by Gov.		Independent board
MS	5 appt. By Gov.; 4 appt. by Legislature	9	9	Constitution	Appt. by SBE	Elected by SBE members	SBE
MO	Appt. by Gov. with consent from Senate	8	8	Constitution	Appt. by SBE	Elected by SBE members	SBE
MT	Appt. by Gov.	7	7	Constitution	Partisan Ballot	Elected by SBE members	SBE
NE	Nonpartisan Ballot	8	4	Constitution	Appt. by SBE	Elected by SBE members	SBE
NV	Nonpartisan Ballot	10	4	Statute	Appt. by SBE	Elected by SBE members	Independent board
NH	Appt. by Gov.	7	5	Statute	Appt. by Gov.	Elected by SBE members	SBE
NJ	Appt. by Gov.	13	6	Statute	Appt. by Gov.	Elected by SBE members	SBE
NM	Elected	10	4	Constitution	Appt. by Gov.	Elected by SBE members	Independent board
NY	Appt. by Legislature	16	5	Constitution and Statute	Appt. by SBE	Elected by SBE members	SBE
NC	Appt. by Gov.	13 (including 2 voting ex officio)	8	Constitution	Partisan Ballot	Elected by SBE members	SBE

State	Method of selection of state board members	Number of voting members	Length of term	State Board established in statute or constitution	Selection of chief state school officer	Selection of state board chair/ president	Authority for teacher licensure
		members)					
ND	Appt. by Gov.	7	6	Statute	Nonpartisan Ballot	Elected by SBE members	Independent board
OH	11 elected by nonpartisan ballot; 8 appt. by Gov.	19	4	Constitution	Appt. by SBE	Elected by SBE members (2-year term)	SBE
OK	Appt. by Gov.	7	6	Constitution	Partisan Ballot	State Supt. Serves as chair	SBE
OR	Appt. by Gov.	7	4	Statute	Nonpartisan Ballot	Elected by SBE members	Independent board
PA	Appt. by Gov. confirmed by Senate	21	6	Statute	Appt. by Gov.	Appt. by Gov.	SBE
RI	Appt. by Gov.	9	3	Statute	Appt. by SBE	Appt. by Gov.	SBE
SC	Appt. by Legislature	17	4	Constitution	Partisan Ballot	Elected by SBE members	SBE
SD	Appt. by Gov.	9	4	Statute	Appt. by Gov.	Elected by SBE members	SBE
TN	Appt. by Gov., confirmed by General Assembly	10 incl. student member	9	Statute	Appt. by Gov.	Elected by SBE members (4-year term)	SBE
TX	Partisan Ballot	15	4	Constitution	Appt. by Gov.	Appt. by Gov. (2-year term)	Independent board
UT	Nonpartisan Ballot	15	4	Constitution	Appt. by SBE	Elected by SBE members	SBE
VT	Appt. by Gov. and approved	9 incl. student	6	Constitution	Appt. by Gov.	Elected by SBE members	SBE

State	Method of selection of state board members	Number of voting members	Length of term	State Board established in statute or constitution	Selection of chief state school officer	Selection of state board chair/ president	Authority for teacher licensure
	by Senate	member					
VA	Appt. by Gov.	9	4	Constitution	Appt. by Gov.	Elected by SBE members	SBE
WA	5 elected by local school board members; 7 appointed by Gov.; 1 elected by private schools; state sup. Also, 2 nonvoting students	14 limited to 2 years (CSSO excepted)	4 (students serve 2 years, starting as a junior)	Statute	Nonpartisan Ballot	Elected by SBE members	Independent board
WV	Appt. by Gov. and approved by Senate	9	8	Constitution	Appt. by SBE	Elected by SBE members	SBE
WI	None			None	Nonpartisan Ballot		CSSO, advised by a Professional Standards Committee
WY	Appt. by Gov.	11	6	Statute	Partisan Ballot	Elected by SBE members	Independent board

Source: National Association of State Boards of Education, 2008.

Table B.2 Overview of State Accountability: Agencies and Responsibilities

States	OK	CA ⁱ	FL ⁱⁱ	MI ⁱⁱⁱ	NC ^{iv}	NY	TX
Functions	Office/Division						
Development of Tests	Accountability & Assessment ^v	Standards & Assessment	Assessment & School Performance	Educational Assessment & Accountability	Accountability Services	Standards, Assessment & Reporting ^{vi}	Student Assessment ^{vii}
Administering of Tests	Accountability & Assessment ^{viii}	Standards & Assessment	Assessment & School Performance	Educational Assessment & Accountability	Accountability Services	Standards, Assessment & Reporting ^{ix}	Student Assessment
Data Collection/Test Scoring	Accountability & Assessment	Data Management	Assessment & School Performance	Educational Assessment & Accountability	Accountability Services	Standards, Assessment & Reporting ^x	Student Assessment
Evaluation/Research of Accountability Data	Accountability & Assessment	Policy & Evaluation	Accountability, Research, & Measurement Education Information & Accountability Services	Educational Assessment & Accountability	Accountability Services	Standards, Assessment & Reporting ^{xi}	Accountability Research ^{xii}
Reporting of	Accountability	Policy &	Education	Educational	Accountability	Standards,	Performance

States	OK	CA ⁱ	FL ⁱⁱ	MI ⁱⁱⁱ	NC ^{iv}	NY	TX
Functions	Office/Division						
Accountability Data	& Assessment	Evaluation	Information & Accountability Services	Assessment & Accountability	Services	Assessment & Reporting ^{xiii}	Reporting ^{xiv}
			Evaluation & Reporting				
Management of Data Systems/Software		Data Management	Chief Technology Office	Educational Technology & Data Coordination	Accountability Services		Performance Based Monitoring ^{xv}
			PK20 Education Data Warehouse				
Publicity and Recognition Programs	Accountability & Assessment	Policy & Evaluation	Evaluation & Reporting	Recognition Programs	Accountability Services		Performance Reporting
Overall Governance of System	Accountability & Assessment	Accountability & Improvement			Accountability Services	Office of State Assessment ^{xvi}	NCLB Program Coordination ^{xvii}

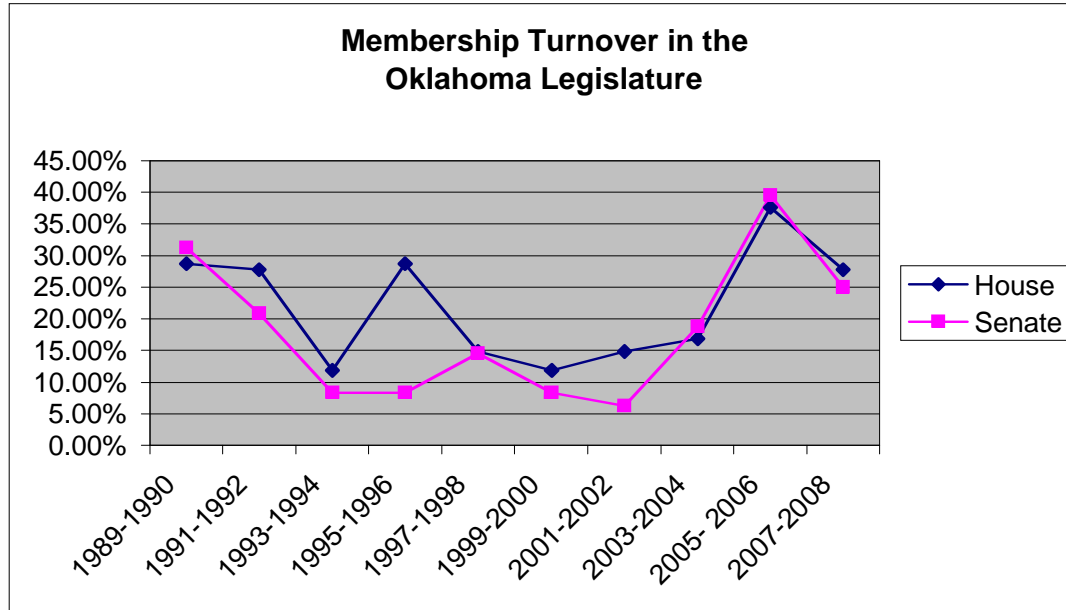
States	OK	CA ^I	FL ^{II}	MI ^{III}	NC ^{IV}	NY	TX
Functions	Office/Division						
Special Interventions & Programs	Standards & Curriculum ^{xviii}	Accountability & Improvement	Bureau of School Improvement Title I, Academic Intervention Services	School Improvement		Curriculum & Instructional Support ^{xix}	Program Monitoring and Interventions ^{xx}
Compliance Monitoring	Accountability & Assessment	Accountability & Improvement			Accountability Services	Standards, Assessment & Reporting ^{xxi}	Program Monitoring and Interventions
Waiver from Accountability Mandates		Waiver Office					

Sources: In endnotes

Table B.3 Superintendent of Public Instruction Election Results 1990-2006

	Number Votes	Percentage of Total Votes	Total Registered Voters	Vote as a percentage of total registered voters
2006				
Sandy Garrett (D)	576,304	62.63%	2,067,316	44.50%
Bill Crozier (R)	343,900	37.37%		
2002				
Sandy Garrett (D)	609,851	59.69%	2,067,911	49.40%
Lloyd Roettger (R)	411,814	40.31%		
1998				
Sandy Garrett (D)	520,270	60.25%	1,990,591	41.70%
Linda D. Murphy (R)	343,291	39.75%		
1994				
Sandy Garrett (D)	493,687	50.40%	1,966,273	47.30%
Linda D. Murphy (R)	484,548	49.60%		
1990				
Sandy Garrett (D)	618,908	72%	1,910,643	45.20%
Gerald Hoeltzel (R)	246,405	28%		

Figure B.1 Membership Turnover in the Oklahoma Legislature



Source: Oklahoma House of Representatives, 2007.

ⁱ California State DOE, Assessment & Accountability Branch: <http://www.cde.ca.gov/re/di/or/>

ⁱⁱ Florida DOE: <http://data.fldoe.org/programguide/>

ⁱⁱⁱ Michigan DOE: <http://www.michigan.gov/mde/0,1607,7-140-6530---,00.html>

^{iv} NC DOE, Accountability Services Division: <http://www.dpi.state.nc.us/accountability/>

^v OK DOE, Accountability and Assessments: <http://sde.state.ok.us/AcctAssess/testadmin.html>

^{vi} NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>

^{vii} Texas DOE, Student Assessment Division: <http://www.tea.state.tx.us/student.assessment/>

^{viii} OK DOE, Accountability and Assessments: <http://sde.state.ok.us/AcctAssess/testadmin.html>

^{ix} NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>

^x NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>

^{xi} NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>

^{xii} Texas DOE, Division of Accountability Research: <http://www.tea.state.tx.us/research/>

^{xiii} NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>

^{xiv} Texas DOE, Division of Performance Reporting: <http://www.tea.state.tx.us/perfreport/>

^{xv} Texas DOE: <http://www.tea.state.tx.us/pbm/>

^{xvi} NY DOE, Office of State Assessment: <http://www.emsc.nysed.gov/osa/>

^{xvii} Texas DOE: <http://www.tea.state.tx.us/divisions.html>

^{xviii} OK DOE, Nine Essential Elements: <http://sde.state.ok.us/Curriculum/Essential/ContactList.pdf>

^{xix} NY DOE, Curriculum and Instructional Support: <http://www.emsc.nysed.gov/cis/>

^{xx} Texas DOE: <http://www.tea.state.tx.us/pmi/>

^{xxi} NY DOE, Standards, Assessment, & Reporting: <http://www.emsc.nysed.gov/deputy/Documents/subj-pgmlist.htm#D>