

## **NorthStar Project Comments on the Oklahoma State Department of Education ESSA Peer Review Waiver Request**

**To:** Superintendent Ryan Walters, Oklahoma State Department of Education (OSDE)  
**From:** Dr. Mark Roberts, Chairman, *NorthStar Project*  
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### **Introduction**

The **NorthStar Project** is an IRS 501(c)(3) nonprofit Oklahoma corporation founded in 2022. Its singular mission is to promote bold, evidence-based reforms that dramatically improve outcomes for Oklahoma K-12 students. Our primary criterion for evaluating K-12 success is the proficiency metric demonstrated in the Oklahoma State Report Card.

Oklahoma consistently ranks near the very bottom of national measures of K–12 education, typically between 45th and 50th in independent rankings. This is not an occasional anomaly—it is a persistent pattern over many years and across methodologies. On the **Nation’s Report Card** (NAEP), Oklahoma’s performance is among the lowest in the nation. In 2024, just 23% of 4th graders and 20% of 8th graders achieved reading proficiency; in math, only 31% of 4th graders and 17% of 8th graders reached proficiency. These results underscore a systemic failure that demands urgent reform.

**The Responsible Educational Progress (REP) Index: Tulsa Edition,** (<https://tinyurl.com/msx6tckd>), developed by the NorthStar Project, confirms this picture of educational stagnation:<sup>1</sup>

- Tulsa Public Schools (TPS) is at the bottom. In the 2018–2023 REP Index, TPS consistently ranks last or near last among major districts. In 2023, 89% of students failed to reach proficiency, and chronic absenteeism topped 45%.
- COVID worsened the crisis. Tulsa experienced significant learning loss in the state, while nearby districts stabilized or even gained.
- Accountability has declined statewide. Average REP scores in the Tulsa area fell from 72 (2018) to 66 (2023). No district demonstrated consistent long-term improvement.

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<sup>1</sup> The REP Index is an objective measure to compare districts using Oklahoma State Report Card (OSRC) data. It incorporates eleven weighted factors: English, math, and science achievement; academic growth; overall proficiency; graduation rates; English language proficiency progress; chronic absenteeism; postsecondary opportunities; per-pupil spending; and an equity adjustment based on the share of economically disadvantaged, English learner, and special-needs students. These metrics are harmonized into a normalized score where the state average is 65. By combining achievement, growth, spending efficiency, and demographics into a single composite, the REP Index allows for apples-to-apples comparisons across districts and for tracking of long-term progress or decline.

- Spending is not driving results. Despite among the highest per-pupil expenditures, Tulsa and Oklahoma City outcomes lag far behind lower-spending but higher-performing districts like Bixby and Owasso.

In short, Oklahoma’s education system is failing at every level—statewide, in its largest cities, and especially in Tulsa. Without bold reform, accountability will remain hollow and outcomes will stagnate.

It is in this context that we comment on the OSDE’s recent effort to reform the testing regime in Oklahoma.

We affirm the State Department of Education’s stated intent in submitting this waiver request—to modernize assessments, reduce compliance burdens, and provide more timely instructional feedback. These are important goals, and we support the spirit of innovation.

Yet, after reviewing the **Every Student Succeeds Act (ESSA) Peer Review Waiver Request** submitted August 7, 2025, we conclude that the proposal, as written, risks **weakening accountability at a moment when Oklahoma can least afford it**. Oklahoma’s K–12 system faces persistent challenges: chronic absenteeism, alarming literacy deficits, stagnant graduation readiness, and severe disparities between urban, suburban, and rural systems. In this fragile context, assessment policy is not merely a technical issue—it is one of the few levers available to create transparency, comparability, and public accountability.

Oklahoma currently relies on summative assessments that end-of-year or end-of-course tests that measure what students have learned overall. They are different from the regular quizzes and benchmark tests teachers give during the year. Instead of guiding day-to-day instruction, they provide a “final check” that allows the state to compare results across students, schools, and districts and to see whether learning goals are being met. If Oklahoma moves too quickly to abandon a uniform statewide summative system in favor of fragmented local benchmarks, accountability could be blurred precisely when clarity is most needed.

### **Constitutional Obligation**

The **Oklahoma Constitution** (Article XIII, §1) requires the state to “establish and maintain a system of free public schools” for the benefit of all children. Courts in many states have consistently interpreted similar constitutional provisions as a substantive duty to provide a *uniform* and *adequate* education. Summative assessments are not mere bureaucratic exercises—they are the primary evidence Oklahoma uses to demonstrate compliance with this constitutional mandate. If the state were to discontinue uniform statewide testing immediately, it would lose the ability to prove that it is meeting its duty to provide a constitutionally adequate education. In litigation or federal review, the absence of valid, comparable statewide data would leave Oklahoma unable to defend itself. In short, abandoning the statewide test without a validated replacement risks placing the state in constitutional violation.

Our comments therefore expand on six central concerns:

- I. **Accountability and comparability in a fragmented system**
- II. **Federal compliance and funding risk**
- III. **Fairness gaps across districts**
- IV. **Validity of college-readiness assessments (CLT, SAT, ACT)**
- V. **Implementation feasibility and timeline risks**

## VI. Transparency and public trust

### I. Accountability and Comparability

#### The Challenge in Oklahoma

Accountability has long been the Achilles' heel of Oklahoma's K–12 governance. More than 500 local boards operate under a broad "local control" ethos, but this decentralization has often produced opacity rather than responsiveness. Oklahoma's state report card, while imperfect, has at least provided a **common statewide yardstick**.

Replacing that yardstick with a patchwork of assessments that are not necessarily comparable will make comparing performance across the state's 500+ school districts not statistically defensible without cross-walks and incentivize districts to adopt assessments that make them look better rather than reporting the truth.

#### Risks of the Waiver Proposal

The OSDE waiver envisions expanded use of benchmarks, the **Scholastic Assessment Test** (a nationally recognized college admissions exam), and **Classic Learning Test** as substitutes for uniform summative tests. While benchmarks may improve instructional feedback, comparability will be undermined:

- **Psychometric variation:** Different vendors use different scales, item formats, and cut scores.
- **Local discretion:** Districts with more resources may adopt rigorous tools, while others opt for lower-cost or easier options.
- **Subgroup opacity:** Without statewide anchors, disparities among Black, Hispanic, Native, rural, and special-needs students risk being obscured.

#### Our Recommendation

- Require an independent comparability study, led by psychometric experts, to determine which specific available assessments could potentially serve as a uniform statewide summative assessment for accountability.
- Maintain at least one **uniform statewide summative assessment** in math and ELA as an anchor for comparability.

Without such guardrails, Oklahoma's accountability system could fracture beyond repair.

### II. Federal Compliance and Funding Risk

#### The Stakes

Oklahoma relies heavily on federal funding streams—Title I, IDEA, Title III, Perkins, and others—to support its most vulnerable learners. ESSA's federal peer review exists to ensure assessments are valid, reliable, and inclusive of subgroups.

#### Risk in the Waiver's Argument

The OSDE waiver characterizes federal peer review as "monopolistic" and "outdated". While this may resonate politically, it is unlikely to persuade federal reviewers. Without federal approval, Oklahoma risks:

- Jeopardizing hundreds of millions in federal aid, especially Title I targeted to high-poverty districts.
- Triggering legal disputes that delay implementation.
- Creating instability for districts already struggling with resources.

### **Our Recommendation**

- Engage proactively with the **U.S. Department of Education**, not in opposition but in demonstration of compliance.
- Pilot benchmark innovations under the ESSA Innovative Assessment Demonstration Authority (Sec. 1204) rather than replacing summative assessments outright. This provides both innovation space and federal cover.

## **III. Fairness Across Districts**

### **The Fairness Challenge in Oklahoma**

Oklahoma is not a single education system but three: a suburban tier of relative strength, an urban tier of entrenched dysfunction, and a rural tier struggling under resource constraints. Any serious policy must grapple with these three realities, or else reforms will fail to move the state as a whole.

The core risk is not simply variability, but intentional evasion: under-performing districts will predictably select assessments that conceal rather than expose their lack of student achievement. This will not divide along the lines of wealthy versus under-resourced districts. Instead, the true dividing line will be between districts willing to face uncomfortable truths and those that prefer to shield themselves from accountability. In places where children are already being failed, leaders will be strongly incentivized to choose assessments with lower thresholds, narrower measures, or easier scoring systems. That choice will entrench a “death spiral” of low expectations, low accountability, and declining outcomes. Parents will be denied accurate information, policymakers will lose the capacity to intervene effectively, and students—the very reason assessments exist—will be the ultimate losers.

### **Our Recommendation**

- Narrow the vendor list to a **state-approved, standards-aligned menu**, ensuring quality and comparability.
- Provide **technical and financial support** to rural and high-poverty districts so assessment tools do not become another axis of inequity.

Accountability must be a bridge across disparities, not a mirror of them.

## **IV. College Readiness Indicators**

### **The Local Policy Context**

House Bill 1096 (May 2025) authorized the **Classical Learning Test (CLT)**, and the University of Oklahoma has announced it will accept both SAT and CLT for admissions.

### **Risks for ESSA Accountability**

Admissions acceptance, however, is not psychometric evidence. ESSA accountability requires proof of validity, reliability, and subgroup fairness. Substituting SAT or CLT for ACT without rigorous validation risks:

- Undermining comparability across districts.
- Reducing transparency for parents.
- Creating confusion for students who move between districts with different College and Career Readiness (CCR) assessments.

### **Our Recommendation**

- Require rigorous **state-led technical reviews** of SAT, ACT, and CLT, with public disclosure of subgroup performance data.
- Use multiple CCR options only if **equivalence is demonstrated**.

## **V. Implementation Timeline**

### **The Problem**

The waiver outlines a **three-year rollout**: benchmark adoption in Year 1, comparability studies in Year 2, full implementation by Year 3. This sequence is backward. By replacing summative tests in Year 1 without comparability validation, the state risks destabilizing accountability immediately.

### **Our Recommendation**

- Begin with **pilots in representative districts** across urban, suburban, and rural settings.
- Require annual public reports on **implementation progress, validity, and subgroup outcomes**.
- Even if OSDE proceeds with its application for a five-year waiver beginning in the 2025–26 school year, the regular statewide summative assessment scheduled for the end of the 2024–25 school year should be administered as planned.
  - At present, no validated replacement assessment is ready for immediate implementation, and discontinuing the statewide test now would create a dangerous accountability gap.
  - Moreover, because the waiver proposal was not publicly announced until August 8, districts have had neither the time nor the technical capacity to prepare for a new assessment framework in the current academic year.
  - Requiring the continuation of the scheduled statewide test this year provides a necessary anchor of continuity, ensures compliance with existing state and federal obligations, and gives districts and families clarity during what will already be a complex and contested transition.
  - Rushing implementation may satisfy political timetables but will erode trust and credibility.

## **VI. Transparency and Public Trust**

### **The Trust Deficit**

Oklahoma already suffers from low public trust in its education institutions. Governance is fractured, and parents often feel shut out of decision-making. Sudden shifts in assessments—without clear guardrails—risk deepening cynicism.

## Our Recommendation

- Publish an **annual Assessment Transparency Report** with costs, vendors, comparability results, and impacts on the state report card.
- Require every local board agenda to include a **Progress Sheet** showing assessment outcomes against state benchmarks.

Accountability is not only technical—it is political and cultural. Transparency is the price of legitimacy.

## Broader Implications for Accountability in Oklahoma

The stakes of this waiver go beyond testing mechanics. Oklahoma is at a crossroads:

- **Chronic absenteeism** exceeds 25% in many districts.
- **Grade 3 literacy** proficiency rates are often below 35%.
- **Graduation readiness** is stagnant, and postsecondary enrollment is declining.

In such a context, accountability is not optional—it is essential. A weakened, fragmented system of local benchmarks risks:

- Making it harder to **diagnose systemic failure** across nearly 500 boards.
- Eroding the ability of policymakers to direct resources strategically.
- Allowing political debates to substitute for data-driven transparency.

In short: what looks like flexibility today could harden into opacity tomorrow.

## Conclusion

The NorthStar Project supports innovation in assessment. But innovation must not come at the expense of comparability, federal compliance, and fairness. Oklahoma students deserve an accountability system that is **transparent, rigorous, and fair across all districts**.

We therefore urge the Oklahoma State Department of Education to refine its waiver request by:

1. Maintaining a **uniform anchor assessment** for statewide comparability.
2. Strengthening **federal compliance** through pilots and proactive engagement.
3. Guarding against **fairness gaps** by narrowing and supporting vendor choices.
4. Ensuring **technical validity** for all CCR assessments (ACT, SAT, CLT).
5. Sequencing implementation more cautiously.
6. Guaranteeing **public transparency** through annual reporting and board-level progress sheets.
7. Requiring OSDE to report which "benchmark" assessments each district is using as the first step.
8. Continuing the scheduled statewide summative assessment in spring 2025 to avoid a dangerous accountability gap during the transition.

Only by embedding these guardrails can Oklahoma balance its desire for innovation with its constitutional and moral obligation to provide every child with an effective and accountable education.