

HOUSE No. 561

The Commonwealth of Massachusetts

PETITION OF:

Carl M. Sciortino, Jr.
Frank I. Smizik
Alice K. Wolf
Tom Sannicandro
Patricia D. Jehlen
Cynthia S. Creem
Denise Provost
Benjamin Swan
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Pamela P. Resor
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Pam Richardson
Thomas J. Calter
Thomas P. Conroy
Kathi-Anne Reinstein
Alice Hanlon Peisch
Christine E. Canavan
Paul Kujawski

In the Year Two Thousand and Seven.

AN ACT TO ENHANCE THE MASSACHUSETTS COMPREHENSIVE ASSESSMENT
SYSTEM TO ENSURE THAT ALL HIGH SCHOOL GRADUATES MEET THE STATE'S
STANDARDS.

*Be it enacted by the Senate and House of Representatives in General Court
assembled, and by the authority of the same, as follows:*

SECTION 1. It is the intent of the Legislature to ensure that all students in public schools have the opportunity to learn what they need to know to receive a high school diploma, and that all high school graduates will have met the state's standards for competency, as required by Section 1D of chapter 69, as measured by the assessments required by Section II of chapter 69. This section states that, "(t)he system shall employ a variety of assessment instruments...(that) (a)s much as practicable, especially in the case of students whose performance is difficult to assess using conventional methods, such instruments shall include

consideration of work samples, projects and portfolios, and shall facilitate authentic and direct gauges of student performance.” The Legislature hereby finds that the requirement established by the Board of Education that students may not graduate from high school without a certain minimum score on the MCAS Language Arts and Math standardized tests, even if students have met the competency requirements through other methods of assessment, including coursework, violates the intent and spirit of the Education Reform Act (ERA) of 1993. Further, the Legislature finds that the failure to assess students fairly and accurately, specifically by failing to use a variety of assessment instruments, and the over-reliance on the MCAS tests to determine high school graduation has led to the narrowing of the curriculum and the elimination of essential courses, programs and activities in our public schools, thus limiting the educational opportunities for all students and resulting in the failure of our public schools to educate the “whole child”. It has also led to an increase in the drop-out rate for high school students and has severely limited the job opportunities and higher educational opportunities for the tens of thousands of young people who have not received a high school diploma. In order to fulfill the original intent of the ERA, amendments to the law are necessary to specifically require that the competency determination for high school graduation can be met by using multiple assessment methods, including the MCAS tests, to evaluate a student’s readiness to graduate. These changes recognize all of the state’s graduation requirements and honor a well-rounded, rigorous and challenging education experience. This new system also recognizes that, while all students can learn at high levels, many demonstrate competencies through various strengths and learning styles and develop at differing rates over time. The Legislature believes that this new, multiple assessment system will provide a more accurate picture of students’ knowledge and skills and will give students hope and reason to complete their high school education.

SECTION 2.

Section II of Chapter 69 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding after the fourth paragraph the following paragraph: -

For purposes of satisfying the requirements of the competency determination as a condition of high school graduation, as required in section one D, the board of education shall promulgate regulations to implement a high school student assessment system to be developed by the Massachusetts High School Graduation Requirement Committee, which shall be based upon multiple relevant measures of performance, using multiple formats, and that allows students who do not meet minimum scores on state standardized tests, such as MCAS tests, to offset these scores with other measures of performance so that all students, including those with disabilities and limited English proficiency,

have the opportunity to demonstrate their competence to graduate from high school.

The Committee shall be composed of 31 members, as follows: one representative selected by each of the following organizations: the Massachusetts Association of School Superintendents, the Massachusetts Teachers Association, the American Federation of Teachers/Massachusetts, the Massachusetts Association of School Committees, the Massachusetts Parent Teachers Association, and the Massachusetts Association of Secondary School Administrators, Massachusetts Administrators for Special Education, Massachusetts Association of Vocational Administrators, Massachusetts Advocates for Children, the National Board of Education Testing and Public Policy at Boston College; FairTest, the New England Association of College Admission Counseling, Massachusetts Business Alliance for Education and the Greater Boston Chamber of Commerce; one representative selected by the state affiliate of each of the following organizations: the Association for Supervision and Curriculum Development, the National Council of Teachers of Mathematics, the National Council of Teachers of English, the National Association of Bilingual Educators, the National Association of Science Teachers, the National Technology Education Association, the Association for Career and Technical Education, the National Association for Health, Physical Education, Recreation and Dance, the National Art Education Association, the National Music Educators Association, the National Council for the Social Studies, the National Council for History Education, the National Geographic Alliance and the National Foreign Language Association; and, one representative selected by the Governor from each of the following systems: the University of Massachusetts, Massachusetts State Colleges and Massachusetts Community Colleges. One member of the committee shall be designated by the Governor to serve as chairperson of the committee. The committee shall hold public hearings across the Commonwealth and shall solicit testimony from and consult with public school officials, educators and staff, with public higher education officials, faculty and staff and with the general public. Members shall not be compensated for their service but may be reimbursed for necessary expenses incurred in the performance of their duties. The department shall provide staff and other resources to the Committee to enable it to carry out its work and may request a supplemental appropriation to reimburse the department for the costs associated with the work of the Committee. The Committee shall submit its plan for a new assessment system to the Board no later than December 31, 2008 and shall at the same time file copies of the plan with the Joint Committee on Education. The Board shall promulgate regulations no later than December 31, 2009.

SECTION 3. Until such time as the regulations for the new high school assessment system are promulgated, as required by Section Two of this Act, no public school student may be denied a high school diploma for the failure to attain a passing score on the MCAS tests, provided however, that a student may be denied a high school diploma for the failure to meet any other graduation requirement of his or her high school; and, provided further, that the regulations for the new high school assessment system, as required by Section Two of this Act, shall not be effective until said regulations are approved by a majority vote of the Legislature's Joint Committee on Education.