HOUSE DOCKET, NO. 1471 FILED ON: 1/15/2015

HOUSE . . . . . No. 340

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a moratorium on high stakes testing and PARCC.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Marjorie C. Decker	*25th Middlesex*
Keiko M. Orrall	*12th Bristol*
Kathleen O'Connor Ives	*First Essex*
James J. Dwyer	*30th Middlesex*
Denise Provost	*27th Middlesex*
Elizabeth A. Poirier	*14th Bristol*
Angelo J. Puppolo, Jr.	*12th Hampden*
Joseph D. McKenna	*18th Worcester*
Colleen M. Garry	*36th Middlesex*
Josh S. Cutler	*6th Plymouth*
James B. Eldridge	*Middlesex and Worcester*
Paul W. Mark	*2nd Berkshire*
Aaron Vega	*5th Hampden*
Mary S. Keefe	*15th Worcester*
Peter V. Kocot	*1st Hampshire*
Carmine L. Gentile	*13th Middlesex*
Diana DiZoglio	*14th Essex*
Benjamin Swan	*11th Hampden*

Danielle W. Gregoire	*4th Middlesex*
Michael D. Brady	*9th Plymouth*
Patricia D. Jehlen	*Second Middlesex*
Michelle M. DuBois	*10th Plymouth*
Edward F. Coppinger	*10th Suffolk*
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*
Thomas M. Petrolati	*7th Hampden*
James E. Timilty	*Bristol and Norfolk*
James T. Welch	*Hampden*
Bruce E. Tarr	*First Essex and Middlesex*
Lori A. Ehrlich	*8th Essex*
James M. Murphy	*4th Norfolk*
Paul R. Heroux	*2nd Bristol*
Leah Cole	*12th Essex*
James M. Cantwell	*4th Plymouth*
Sheila C. Harrington	*1st Middlesex*
Tom Sannicandro	*7th Middlesex*
Frank I. Smizik	*15th Norfolk*
Claire D. Cronin	*11th Plymouth*
James R. Miceli	*19th Middlesex*
Carolyn C. Dykema	*8th Middlesex*
Shaunna L. O'Connell	*3rd Bristol*
Theodore C. Speliotis	*13th Essex*
Chris Walsh	*6th Middlesex*
John J. Mahoney	*13th Worcester*
Angelo L. D'Emilia	*8th Plymouth*
Daniel Cullinane	*12th Suffolk*
William Smitty Pignatelli	*4th Berkshire*
Donald F. Humason, Jr.	*Second Hampden and Hampshire*
Sal N. DiDomenico	*Middlesex and Suffolk*
Michael S. Day	*31st Middlesex*
Kay Khan	*11th Middlesex*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Robert L. Hedlund	*Plymouth and Norfolk*
Gailanne M. Cariddi	*1st Berkshire*
Joan B. Lovely	*Second Essex*

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HOUSE . . . . . No. 340

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 340) of Marjorie C. Decker and others relative to providing a public education system of sufficient quality. Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to a moratorium on high stakes testing and PARCC.

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. Chapter 69 is hereby amended by striking out section 1, as appearing in the 2008 Official Edition, and inserting in place thereof the following section:

It is hereby declared to be a paramount goal of the commonwealth to provide a public education system of sufficient quality to extend to all children including a limited English proficient student as defined in section 1 of chapter 71A, and also, including a school age child with a disability as defined in section 1 of chapter 71B the opportunity to reach their full potential and to lead lives as participants in the political, social, and economic life of the commonwealth. It is therefore the intent of this title to ensure: (1) that each public school classroom provides the conditions for all pupils to engage fully in learning as an inherently meaningful and enjoyable activity without threats to their sense of security or self-esteem, (2) a consistent commitment of resources sufficient to provide a high quality public education to every child, (3) a deliberate process for establishing and achieving specific educational goals for every

13 child, and (4) effective mechanisms for all stakeholders to monitor progress toward the stated
14 goals and intentions in this section and to be held accountable.

15

16 Section 2. (a) Notwithstanding subsection (i) of section one D of chapter 69, during the
17 next three full school years following the effective date of this act, the requirement that a student
18 must demonstrate mastery of a common core of skills, competencies and knowledge as measured
19 by MCAS or another standardized test shall not be required as a condition for high school
20 graduation.

21 (b) Notwithstanding the provisions of any general law, special law, regulation, or
22 collective bargaining agreement to the contrary, during the next three full school years following
23 the effective date of this act, the results from student learning measures that inform the educator
24 plan or self-assessment shall not be used, in whole or in part, in an educator's formative or
25 summative evaluation or in determining an educator's impact on student learning rating.

26 (b) During the next three full school years following the effective date of this act, the
27 department shall not implement or use the PARCC assessment to satisfy the provisions of section
28 1J of chapter 69 or for any student competency determination as a graduation requirement or
29 school and district accountability purpose. Notwithstanding the provisions of section 1J and 1K
30 of chapter 69 or any other general or special law to the contrary, the department shall not use
31 student achievement measures on the MCAS assessment or use student growth measures based
32 on standardized tests for the purpose of assessing the performance of any public school or school
33 district.

34 Section 3. (a) An Education Reform Review Task Force shall be convened no later than
35 September 1, 2015, for the purpose of (i) reviewing the use of MCAS or any mandated state
36 assessments, the implementation of the educator evaluation framework established pursuant to
37 section 1I of chapter 69, and the use of student data on standardized tests as a student high school
38 graduation requirement or in evaluating educators, schools, and districts and (ii) determining
39 whether these mechanisms advance the paramount goal of the commonwealth established by the
40 Education Reform Act of 1993, as amended by section 1 of this Act and, if not, should be
41 eliminated or modified.

42 b. The task force shall consist of the following stakeholders:

43 (1) the commissioner of elementary and secondary education, or the commissioner's
44 designee;

45 (2) the secretary of education, or the secretary's designee;

46 (3) the Senate president or a designee, the Speaker of the House or a designee, and the
47 two chairs of the Joint Committee on Education or their designees;

48 (4) one member chosen by the Governor from a list of three names submitted by the
49 Massachusetts Teachers Association, one from a list of three names submitted by the American
50 Federation of Teachers/Massachusetts, one from a list of three names submitted by the
51 Massachusetts Association of School Superintendents, one from a list of three names submitted
52 by the Massachusetts Association of School Committees, from a list of three names submitted by
53 the Massachusetts Elementary School Principals Association, and one from a list of three names
54 submitted from the Massachusetts Secondary School Administrators Association, and one from a
55 list of three names submitted by the Massachusetts Parent Teachers Association; and in addition

56 thereto the president of the Massachusetts Teachers Association and the president of the
57 American Federation of Teachers/Massachusetts;

58 (5) three parents jointly selected by the Massachusetts Teachers Association, the
59 American Federation of Teachers/Massachusetts, and the Parent Teachers Association, one of
60 whom is a parent or guardian of a student enrolled in a public school that is in a school district in
61 what has been designated as a "gateway city," as defined by section 3A of chapter 23A, one of
62 whom is a parent or guardian of a student enrolled in a public school that is located in a suburban
63 school district in the commonwealth, and one of whom is the parent or guardian of a student
64 enrolled in a public school that is located in a rural school district in the commonwealth.

65 (6) the initial meeting of the Task Force will be solely for the purpose of naming
66 additional parent community representatives. The communities to be represented will include
67 but not be limited to, the ELL, SPED, and minority communities

68 (7) additionally, in accordance Section 1E of Chapter 15 one or more students from the
69 Student Advisory Council shall serve on this task force.

70 c. Appointments to the task force shall be made within 60 days of the effective date
71 of this act. Vacancies in the membership of the task force shall be filled in the same manner as
72 the original appointments. Members of the task force shall serve without compensation.

73 d. The task force shall organize as soon as practicable following the appointment of
74 its members, but no later than 60 days after the appointment of its members. There shall be two
75 co-chairs, one elected by the members designated in sub-sections b (1), (2) and (3) and the
76 second elected by the members in sub-sections b (4) and (5).

77 Section 4. The Task Force will examine the purpose and varieties of testing that are
78 currently used in classroom, schools, and districts to determine whether, in assessing students,
79 teachers, schools, and districts, the components of the system of assessment, individually and
80 collectively, advance the goal set forth in section 1 of chapter 69, as amended. More specifically,
81 the Task Force shall evaluate the use of standardized assessments, the implementation of the
82 educator evaluation framework established pursuant to section 1I of chapter 69, and the use of
83 student data on standardized tests for the purpose of evaluating students, educators, schools, and
84 school districts and shall, without limitation of other relevant factors, consider and make findings
85 regarding the following:

86 a. whether the system of assessments currently in use or under consideration are
87 effectuating the goal of providing a quality public education system in which (1) all pupils are
88 engaged fully in learning as an inherently meaningful and enjoyable activity without threats to
89 their sense of security or self-esteem and (2) the processes for establishing and achieving specific
90 educational performance goals for pupils, for monitoring progress toward those goals, and for
91 fully engaging educators in these processes are effective and do not detract from the goals set
92 forth in section 1 of chapter 69.

93 b. an analysis of (1) the time and cost dedicated to federal, state, and district
94 mandated testing in the commonwealth's classrooms, (2) the impact of mandated testing on
95 effective teaching and learning, and (3) the availability and feasibility of mechanisms other than
96 such standardized assessments to assess student, teacher, school, and district progress toward
97 achieving the goals of section 1 of chapter 69, as amended;

98 c. A review of the use and efficacy of technology to achieve the goals and intentions
99 set forth in chapter 69, section 1, as amended, in relation to classroom instruction and
100 assessment, the current capacity of school districts in relation to the use of technology in
101 classroom instruction and assessment, and the cost of achieving a level of technology capacity in
102 school districts sufficient to achieve the goals and intentions set forth in chapter 69, section 1, as
103 amended;

104 d. a study of the validity of using student growth percentiles as a component of the
105 educator evaluation framework, and a review of how school districts use, misuse, or plan to use
106 measures of student learning including standardized test scores in the evaluation framework;

107 e. a study assessing the efficacy and impacts of the requirement in subsection (i) of
108 section one D of chapter 69 that, as a condition for high school graduation.

109 Section 5. The Department will make all information requested by any member of the
110 Task Force readily available in a timely manner with due diligence. The task force shall issue a
111 final report to the general court by filing same with the clerks of the senate and house of
112 representatives no later than eighteen months after the task force organizes. Prior to issuing its
113 final report, the task force shall hold at least six public hearings, in which members of the task
114 force shall be present, in locations that provide opportunities for residents from all geographic
115 regions of the commonwealth to testify. The commissioner shall provide a summary of the
116 transcribed hearings.