

HOUSE No. 502

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the rights of students, teachers and legal guardians to diagnostic use of MCAS test scores and to the MCAS appeals process..

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

1 SECTION 1. Chapter 69 of the General Laws is hereby amended by adding the following
2 new section:—

3 SECTION 1N. Any standardized test of achievement of aptitude to be administered under
4 the laws of the Commonwealth or any office, board, department, agency or authority thereof to
5 students in any public school of the Commonwealth, including, but not limited to, the so-called
6 MCAS test, shall be subject to certain requirements enumerated in this section. For the purposes
7 of this section, the term “test” shall mean such a standardized test.

8 (a) All standard accepted answers to test questions that are used in test scoring, together
9 with copies of the actual test booklets and scores of test takers for each question shall be
10 transmitted to parents, and or legal guardians, and teacher of test takers prior to public disclosure
11 of scores thereon and within three months after test administration.(b) Written notification of
12 procedures for Score Appeals (set forth in 603 CMR 30.04) and Performance Appeals (as set
13 forth in 603 CMR 40.05) must be provided to parents and/or legal guardians of test takers as part

14 of the so-called Guide to the MCAS Parent/Guardian Report.(c) A score or performance appeal
15 on behalf of a student may be filed by the student, parent, legal guardian or superintendent of the
16 school district in which the student is enrolled, or by the superintendent's designee.