

**HOUSE . . . . . No. 489****The Commonwealth of Massachusetts**

PRESENTED BY:

***Carl M. Sciortino, Jr.****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 to improve assessment and accountability to ensure students acquire 21st century skills.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>	<i>1/18/2013</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2013</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	
<i>Benjamin Swan</i>	<i>11th Hampden</i>	
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>	

# HOUSE . . . . . No. 489

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By Mr. Sciortino of Medford, a petition (accompanied by bill, House, No. 489) of Carl M. Sciortino, Jr. and others for legislation to ensure that high school graduates possess a reasonable breadth and depth of knowledge and skills. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1955 OF 2011-2012.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act to improve assessment and accountability to ensure students acquire 21st century skills.

*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. Section 1D of chapter 69 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended by adding after the third paragraph the following new  
3 paragraph:-

4           Before taking effect, the standards shall be reviewed and approved by the state affiliate of  
5 the professional association representing the academic discipline, or its successor as the case may  
6 be, for each standard as follows: in mathematics by the National Council of Teachers of  
7 Mathematics; in English Language Arts by the National Council of Teachers of English, the  
8 International Reading Association, and the National Association of Bilingual Educators; in  
9 science and technology by the National Association of Science Teachers, the National  
10 Technology Education Association and the Association for Career and Technical Education; in  
11 health by the National Association for Health, Physical Education, Recreation and Dance, the  
12 American School Counselors Association and the National Association of School Psychologists;  
13 in the arts by the National Art Education Association, the National Alliance for the Arts and the  
14 National Music Educators Association; in social studies by the National Council for the Social  
15 Studies, the National Council for History Education and the National Geographic Alliance; and  
16 in foreign languages by the National Foreign Language Association.

17 SECTION 2. Section 1D of chapter 69 of the General Laws, as so appearing, is hereby  
18 amended by adding after the word “determination” in line 54 the following words:-

19 ,according to the evaluation system established by the district or Commonwealth charter  
20 school set out in Section 1I of this chapter,

21 SECTION 3. Section 1D of chapter 69 of the General Laws, as so appearing, is hereby  
22 amended by adding after subsection (i), the following new paragraph:-

23 To fulfill the high school graduation competency determination, the state shall require  
24 students to pass a course in tenth grade English, a math course, a science or technology course,  
25 and a U.S. or world history course. The student’s grade in each said course shall include an end-  
26 of-course examination developed by the board. Any such examination shall count for no more  
27 than twenty percent of a student's final grade in the course and shall have no other consequences  
28 for individual students. In any such examination, the state shall ensure that no more than twenty-  
29 five percent of the score will be obtained through use of multiple-choice or short-answer items,  
30 and at least seventy-five percent of the score in that examination will be obtained through  
31 performance assessment items appropriate to the subject. Performance assessment items shall  
32 include essays, tasks, projects, performances, exhibits, laboratory experiments, or other similar  
33 performance assessment items that are intended in significant part to assess student acquisition of  
34 21st century skills, as defined in Section 1I. Such items may be scored by teachers in the local  
35 district where the student attends school. The board shall ensure quality control and  
36 comparability of scoring across schools and districts; provided, however, that this may be done  
37 by such methods as using a common scoring guide to independently re-score sufficient samples  
38 of each assessment from each school or class within a school and then adjusting initial scores as  
39 needed to establish comparability. Local school districts may be allowed to use their own  
40 assessments and not use the state end-of-course exams; provided, however, that local  
41 assessments meet the other criteria in this chapter, are based on state standards and are approved  
42 by the department.

43 SECTION 4. Section 1E of chapter 69 of the General Laws, as so appearing, is hereby  
44 amended by adding the following new paragraph at the end thereof:-

45 Before taking effect, the standards shall be reviewed and approved by the state affiliate of  
46 the professional association representing the academic discipline, or its successor as the case may  
47 be, for each standard as follows, as described in Section 1D.

48 SECTION 5. Section 1I of chapter 69 of the General Laws, as so appearing, is hereby  
49 amended by striking the first through fourth paragraphs, and inserting in place thereof the  
50 following paragraphs:-

51 Every ten years all public schools, including Commonwealth and Horace Mann charter  
52 schools and Innovation Schools, shall take the steps necessary to become accredited by the New

England Association of Schools and Colleges, hereinafter referred to as NEASC. The governing school authority, if any, shall take all steps necessary to assist each school in its jurisdiction to achieve such accreditation. If, after four years from the beginning of the accreditation process, a school fails to achieve accreditation, fails to make significant progress toward accreditation, or is placed on probation status by the NEASC, the commissioner may initiate proceedings pursuant to section 1J of this chapter.

Each school district shall develop and adopt a system for evaluating on an annual basis the overall performance and progress of both the district and individual public schools within the district, including Horace Mann charter schools and Innovation Schools. Each Commonwealth charter school shall develop and adopt a system for evaluating on an annual basis the overall performance of the school. Each local evaluation system shall be designed to help improve the overall quality of the school and district in educating the whole child, assess outcomes and results regarding student learning and progress, improve the effectiveness of curriculum and instruction, and evaluate school climate and parent engagement. This information shall inform the annual school report provided for in Section 6. In its design and application, each evaluation system shall strike a balance among considerations of accuracy, fairness, expense and administration.

In both district and Commonwealth charter schools, the evaluation system shall include a criterion-referenced local assessment system designed to provide data on student learning. This system shall also provide evidence on the extent to which the school or district has succeeded in improving or has failed to improve that learning. . Said learning shall be defined as student acquisition of the skills, competencies and knowledge called for by the academic standards and embodied in the curriculum frameworks established by the board pursuant to sections 1D and 1E, in, at a minimum, the areas of mathematics, science and technology, history and social science, and English.. The district may include other gauges of student learning judged by the district to be relevant and meaningful to students, parents, teachers, administrators, and taxpayers, or assess other content areas.

The local assessment system shall gather and report information about student learning on either a comprehensive or statistically valid sampling basis. It may use a comprehensive basis in some grades or subjects and sampling in others.

The local assessment system shall be comprised primarily of work samples and portfolios that predominantly include performance assessment items, and shall facilitate authentic and direct gauges of student performance. Performance assessment items include essays, tasks, projects, performances, exhibits, laboratory experiments, or other similar performance assessment items, administered as a school or district-wide on-demand test or as part of the ongoing student work in the class, that are intended in significant part to assess student acquisition of 21st century skills, defined as including the following: creativity, critical thinking, problem solving, communication and collaboration. The local assessment system shall also

91 gather evidence of student acquisition of additional 21st century skills including media and  
92 information literacy, flexibility, initiative, social and cross-cultural skills and understandings,  
93 leadership, self-motivation and responsibility.

94 Each local evaluation and assessment system shall be approved by the school committee,  
95 or by the governing board of any school not under the direction and control of a school  
96 committee. Every school district or school must submit its proposed evaluation and assessment  
97 systems to the Department of Elementary and Secondary Education for review and approval  
98 prior to the implementation of said system. The department shall establish criteria to use in its  
99 review and approval process, including the NEASC assessment standards. It shall promulgate  
100 assessment standards to ensure local assessments provide reasonably comparable information  
101 about student learning, including 21st century skills, in the areas of mathematics, science and  
102 technology, history and social science, and English. Local evaluation and assessment information  
103 shall be used in any evaluation of school or district performance or progress.

104 In addition, each district or Commonwealth charter school, under procedures and  
105 guidelines established by the department, shall administer the following statewide standardized  
106 tests as part of its assessment system: reading or language arts tests in grades 3, 5 and 7 only;  
107 math tests in grades 4, 6 and 8 only; and the standardized end-of-course assessments described in  
108 Section 3. No other statewide standardized tests shall be given and the administration of such  
109 statewide standardized tests shall be limited to no more than five school days total in any school  
110 year; provided further, that the school, district and individual student scores for any statewide  
111 standardized tests must be reported to the school and district no later than the end of the school  
112 year in which the test was taken. Said statewide standardized tests shall be used for purposes of  
113 diagnosis, remediation, and assessment of the extent to which the school's students have  
114 acquired the skills, competencies and knowledge called for by the academic standards and  
115 embodied in the curriculum frameworks established by the board pursuant to sections 1D and  
116 1E. They shall not be used to deny any student graduation, except as included in the competency  
117 determination described in Section D, or promotion to the next grade, except as one component  
118 of a comprehensive evaluation, or any other benefit of public education. Test scores shall be  
119 reported to each student and to his or her parents or guardians and shall be reported in the  
120 aggregate at the school and district level. Aggregate scores may be used as one component of  
121 any evaluation of school or district progress.

122 Prior to the use of any state tests described in the previous paragraph, the tests shall be  
123 reviewed and approved by the state affiliate of the professional association representing the  
124 academic discipline, or their successors as the case may be, for each test, as described in Section  
125 1D.

126 Notwithstanding any provision of this chapter to the contrary, reporting by the  
127 department of performance levels on the statewide standardized tests shall not include the term  
128 "failing" or any similar pejorative term.

129 The department shall provide professional development and training to teachers in the  
130 construction, use and scoring of performance assessment items.

131 The department shall provide technical assistance to schools and school districts to  
132 develop performance assessments, as required by this section, including the development of  
133 models for local assessment systems. The department also shall work with schools, districts,  
134 colleges and universities, and other states, to develop collections of high-quality performance  
135 assessment items that schools and districts may use in classroom instruction and assessment.

136 The department shall provide technical assistance to schools and school districts to  
137 achieve the accreditation and implement the evaluation systems required by this section,  
138 including the development of models for local evaluation systems. The department shall fund the  
139 costs associated with achieving and maintaining accreditation by the NEASC, including teacher  
140 reassign time, substitute teachers and other staff participation costs associated with the  
141 accreditation process, as well as the costs associated with the performance evaluation systems  
142 required by this section.

143 SECTION 6. Section 1I of chapter 69 of the General Laws, as so appearing, is hereby  
144 amended by inserting the following paragraph at the end thereof:-

145 Each public school, including Commonwealth and Horace Mann charter schools and  
146 Innovation Schools, shall annually report to the public how its students have performed under the  
147 assessment system established by the district, or by the school in the case of a Commonwealth  
148 charter school. Each district shall report how each of its schools and the district as a whole have  
149 performed under the evaluation and assessment systems, and each Commonwealth charter school  
150 shall similarly report. The reports shall be in a uniform format within each school district, or  
151 within the school in the case of a Commonwealth charter school, and shall break down the data  
152 by student status, including economically disadvantaged, race, gender, disability, English  
153 proficiency, and such other categories as the district or school deems useful. The school report  
154 shall include how each school's performance relates to its school improvement plan. The report  
155 also shall include the schools progress in obtaining or renewing accreditation by the NEASC and  
156 results of the statewide standardized test.

157 Each district shall compile and review the reports of each school. It shall evaluate the  
158 strengths, progress, problems and needs for each school and the district as a whole, and submit a  
159 report to the department. Each Commonwealth charter school shall submit its school evaluation  
160 report to the department. The department shall review each district and Commonwealth charter  
161 school report and where it deems appropriate make recommendations to the district or school and  
162 ensure the provision of resources and other assistance designed to help each district or school  
163 improve.

164 The department shall focus on providing assistance to schools that are not accredited and  
165 or schools or districts whose reports indicate a particularly urgent need for assistance. The nature

and results of such recommendations and assistance shall be included in subsequent school and district reports.

These reports may be used as one component of any evaluation of school or district progress, such as that described in Section 1J of this Chapter.

SECTION 7. The Commissioner of Elementary and Secondary Education shall select a panel of three experts from a list of nationally qualified experts in educational assessment provided by the National Research Council of the National Academy of Sciences, and two educators, one an elementary teacher and the other a secondary school teacher, from a list of experienced teachers provided by the Massachusetts Teachers Association and the AFT-Massachusetts, to perform a study of the validity, reliability, quality and age and language appropriateness of the statewide standardized tests established in section 1I. The Commissioner of Elementary and Secondary Education shall enter into a contract on behalf of the Department of Elementary and Secondary Education, with the selected panel of experts to conduct such a study. The Commissioner and the Department of Elementary and Secondary Education shall assist the panel in obtaining all information, documents or other evidence necessary to conduct the study.

The findings, conclusions and recommendations of the Commission shall be presented to the Board of Elementary and Secondary Education and to the Joint Committee on Education.