

HOUSE No. 2844

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 to place a moratorium on high stakes testing.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|-----------------------------------|------------------|
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>1/20/2017</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>1/28/2017</i> |
| <i>James M. Cantwell</i> | <i>4th Plymouth</i> | <i>1/27/2017</i> |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>1/31/2017</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>2/3/2017</i> |
| <i>Michael S. Day</i> | <i>31st Middlesex</i> | <i>2/2/2017</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>2/3/2017</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>1/31/2017</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | <i>2/2/2017</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/1/2017</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>2/3/2017</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>2/2/2017</i> |
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> | <i>2/2/2017</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/27/2017</i> |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> | <i>2/2/2017</i> |
| <i>Keiko M. Orrall</i> | <i>12th Bristol</i> | <i>2/3/2017</i> |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> | <i>1/30/2017</i> |
| <i>John W. Scibak</i> | <i>2nd Hampshire</i> | <i>1/30/2017</i> |

| | | |
|--------------------------|-----------------------|------------------|
| <i>Aaron Vega</i> | <i>5th Hampden</i> | <i>1/26/2017</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> | <i>2/3/2017</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | <i>2/1/2017</i> |

HOUSE No. 2844

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 2844) of Marjorie C. Decker and others for legislation to impose a moratorium on the use of the Massachusetts Comprehensive Assessment System (MCAS) or other mandated state assessments as a condition for high school graduation. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to place a moratorium on high stakes testing.

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 is hereby amended by striking out section 1, as appearing in the
2 2008 Official Edition, and inserting in place thereof the following section:

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

8 (b) Notwithstanding the provisions of any general law, special law, regulation, or
9 collective bargaining agreement to the contrary, during the next three full school years following
10 the effective date of this act, the results from student learning measures that inform the educator

11 plan or self-assessment shall not be used, in whole or in part, in an educator's formative or
12 summative evaluation or in determining an educator's impact on student learning rating.

13 (b) During the next three full school years following the effective date of this act, and
14 notwithstanding the provisions of section 1J and 1K of chapter 69 or any other general or special
15 law to the contrary, the department shall not use student achievement measures on the MCAS
16 assessment or any successor test or use student growth measures based on standardized tests for
17 the purpose of assessing the performance of any public school or school district.

18 SECTION 3. (a) An Education Reform Review Task Force shall be convened no later
19 than September 1, 2017, for the purpose of (i) reviewing the use of MCAS or any mandated state
20 assessments, the implementation of the educator evaluation framework established pursuant to
21 section 1I of chapter 69, and the use of student data on standardized tests as a student high school
22 graduation requirement or in evaluating educators, schools, and districts and (ii) determining
23 whether these mechanisms advance the paramount goal of the commonwealth established by the
24 Education Reform Act of 1993, as amended by section 1 of this Act and, if not, should be
25 eliminated or modified.

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

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

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

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

32 (4) one member chosen by the Governor from a list of three names submitted by the
33 Massachusetts Teachers Association, one from a list of three names submitted by the American
34 Federation of Teachers/Massachusetts, one from a list of three names submitted by the
35 Massachusetts Association of School Superintendents, one from a list of three names submitted
36 by the Massachusetts Association of School Committees, from a list of three names submitted by
37 the Massachusetts Elementary School Principals Association, and one from a list of three names
38 submitted from the Massachusetts Secondary School Administrators Association, and one from a
39 list of three names submitted by the Massachusetts Parent Teachers Association; and in addition
40 thereto the president of the Massachusetts Teachers Association and the president of the
41 American Federation of Teachers/Massachusetts;

42 (5) three parents jointly selected by the Massachusetts Teachers Association, the
43 American Federation of Teachers/Massachusetts, and the Parent Teachers Association, one of
44 whom is a parent or guardian of a student enrolled in a public school that is in a school district in
45 what has been designated as a “gateway city,” as defined by section 3A of chapter 23A, one of
46 whom is a parent or guardian of a student enrolled in a public school that is located in a suburban
47 school district in the commonwealth, and one of whom is the parent or guardian of a student
48 enrolled in a public school that is located in a rural school district in the commonwealth.

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

52 (7) additionally, in accordance Section 1E of Chapter 15 three students from the Student
53 Advisory Council shall serve on this task force. Said students should be chosen to represent
54 various school district across the Commonwealth.

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

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

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

71 a. whether the system of assessments currently in use or under consideration are
72 effectuating the goal of providing a quality public education system in which (1) all pupils are
73 engaged fully in learning as an inherently meaningful and enjoyable activity without threats to

74 their sense of security or self-esteem and (2) the processes for establishing and achieving specific
75 educational performance goals for pupils, for monitoring progress toward those goals, and for
76 fully engaging educators in these processes are effective and do not detract from the goals set
77 forth in section 1 of chapter 69.

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

83 c. A review of the use and efficacy of technology to achieve the goals and intentions
84 set forth in chapter 69, section 1, as amended, in relation to classroom instruction and
85 assessment, the current capacity of school districts in relation to the use of technology in
86 classroom instruction and assessment, and the cost of achieving a level of technology capacity in
87 school districts sufficient to achieve the goals and intentions set forth in chapter 69, section 1, as
88 amended;

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

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

94 SECTION 5. The Department will make all information requested by any member of the
95 Task Force readily available in a timely manner with due diligence. The task force shall issue a

96 final report to the general court by filing same with the clerks of the senate and house of
97 representatives no later than eighteen months after the task force organizes. Prior to issuing its
98 final report, the task force shall hold at least six public hearings, in which members of the task
99 force shall be present, in locations that provide opportunities for residents from all geographic
100 regions of the commonwealth to testify. The commissioner shall provide a summary of the
101 transcribed hearings.