

**HOUSE . . . . . No. 431**

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**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>1/18/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/23/2019</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>2/1/2019</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/25/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/31/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/28/2019</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/31/2019</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/1/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/30/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/1/2019</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/29/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/30/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/30/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/24/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/28/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2019</i>

<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/1/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>1/31/2019</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>2/1/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/31/2019</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>1/28/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/1/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>1/31/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/1/2019</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/28/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/28/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>2/1/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/29/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/30/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/30/2019</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>1/24/2019</i>
<i>John C. Velis</i>	<i>4th Hampden</i>	<i>1/30/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/29/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/24/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/1/2019</i>

**HOUSE . . . . . No. 431**

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 431) of Marjorie C. Decker and others for legislation to place a moratorium on high stakes testing and to direct the State Auditor to investigate the Department of Elementary and Secondary Education. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

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. Notwithstanding subsection (i) of section one D of chapter 69 of the  
2 General Laws, as so appearing, during the next three full school years following the effective  
3 date of this act, the requirement that a student must demonstrate mastery of a common core of  
4 skills, competencies and knowledge as measured by Massachusetts Comprehensive Assessment  
5 System or any other named statewide standardized assessment shall not be required as a  
6 condition for high school graduation.

7           SECTION 2. Notwithstanding the provisions of any general law, special law, regulation,  
8 or collective bargaining agreement to the contrary, during the next three full school years  
9 following the effective date of this act, the results from student learning measures that inform the  
10 educator plan or self-assessment shall not be used, in whole or in part, in an educator’s formative  
11 evaluation, formative assessment, or summative evaluation.

12 SECTION 3. During the next three full school years following the effective date of this  
13 act, the department shall not implement or use the mandated state standardized assessment to  
14 satisfy the accountability provisions of section 1J or section 1K of chapter 69.

15 SECTION 4. The department of elementary and secondary education shall create and  
16 implement a grant program within ninety days of the passage of this act to support the  
17 establishment of district task forces to develop and pilot alternative assessment models beginning  
18 at the start of the 2020-2021 school year. The purpose of the grant program is to enable  
19 educators, students, parents and local districts to establish a vision and goals for their public  
20 schools; to determine how best to evaluate whether or not their vision and goals are being met;  
21 and to identify what resources are needed to realize their vision and goals.

22 (a) A school district task force on assessment shall be formed at the local level in no more  
23 than twenty-five percent of public school districts.

24 (b) Should more than twenty-five percent of school districts apply, the department shall  
25 establish a process by which grant applicants are selected in a manner that ensures the  
26 participation of economically disadvantaged school districts as defined in section 3A of chapter  
27 23A and school districts with a significant population of English language learners as defined in  
28 subsection (d) of section 2 of chapter 71A.

29 (c) Each task force shall be co-chaired by the chair of the school committee, or the chair's  
30 designee, and the president of the local education association, or the president's designee. In  
31 addition to the co-chairs, the task force composition shall consist of no more than nine members  
32 of the community, parents, school staff including administrators and educators, and students as

33 appropriate. The task forces may convene within thirty days of notification by the department  
34 that a grant has been awarded to the district.

35 (d) Each task force shall annually report on its progress to the department.

36 (e) The department shall file an annual report on the status of the grant program, progress  
37 of applicants and assess the need for increased funding after the initial application cycle to the  
38 Committees on House Ways and Means, Senate Ways and Means, and the Joint Committee on  
39 Education annually on the progress of the pilot alternative assessment models.

40 SECTION 5. Chapter 11 of the General Laws, as appearing in the 2016 Official Edition,  
41 is hereby amended by inserting after section 17 the following section:-

42 Section 18. The state auditor shall investigate and audit the Department of Elementary  
43 and Secondary Education, established under section 1A of chapter 69 of the General Laws, once  
44 every three years beginning July 1, 2019 and if the state auditor deems it necessary shall conduct  
45 an investigation more often. The audit and investigation shall include, but not limited to, contract  
46 bid practices, internal financial and practice reviews and controls, contract compliance,  
47 specifically review the current and former contracts between the department and Measured  
48 Progress as well as any subcontractors of said contract, including but not limited to Pearson, and  
49 review any other issues the state auditor deems appropriate to investigate. The state auditor shall  
50 issue guidance for future contracts to be executed with a nonprofit based in Massachusetts with  
51 extensive knowledge of the educational system of the Commonwealth. Upon completion of the  
52 report, a copy shall be filed with the Clerk of the House of Representatives, the Clerk of the  
53 Senate, the Joint Committee on Education, the House Committee on Ways & Means and the  
54 Senate Committee on Ways & Means.