

**SENATE . . . . . No. 2814**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Joanne M. Comerford***

*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 responding to the COVID-19 emergency by instituting a moratorium of the Massachusetts Comprehensive Assessment System.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>6/25/2020</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>6/25/2020</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>6/25/2020</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/25/2020</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>6/25/2020</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>6/25/2020</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>6/25/2020</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>6/26/2020</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>6/26/2020</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>6/26/2020</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>6/26/2020</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>6/26/2020</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>6/26/2020</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>6/26/2020</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>6/26/2020</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>6/26/2020</i>

<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>6/26/2020</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>6/26/2020</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>6/29/2020</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>6/29/2020</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>6/29/2020</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>6/29/2020</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>6/30/2020</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>6/30/2020</i>
<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>	<i>7/2/2020</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>7/2/2020</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>7/6/2020</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>7/10/2020</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>7/10/2020</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>7/10/2020</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>7/14/2020</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>7/15/2020</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>7/22/2020</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>8/5/2020</i>

**SENATE . . . . . No. 2814**

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 2814) (subject to Joint Rule 12) of Joanne M. Comerford, Jack Patrick Lewis, Maria Duaine Robinson, Carmine Lawrence Gentile and other members of the General Court for legislation to respond to the COVID-19 emergency by instituting a moratorium of the Massachusetts Comprehensive Assessment System. Education.

**The Commonwealth of Massachusetts**

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

An Act responding to the COVID-19 emergency by instituting a moratorium of the Massachusetts Comprehensive Assessment System.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a moratorium on the administration of the Massachusetts Comprehensive Assessment System and for associated graduation requirements and accountability measures, in response to the COVID-19 emergency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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, as appearing in the 2018 Official Edition,  
2 is hereby amended by adding the following section:-

3 Section 37. (a) Notwithstanding subsection (i) of section 1D, for the school years  
4 beginning in the fall of 2020 through the school year ending in 2024, the requirement that a  
5 student must demonstrate mastery of a common core of skills, competencies and knowledge as  
6 measured by Massachusetts Comprehensive Assessment System or any other named statewide  
7 standardized assessment shall not be required as a condition for high school graduation.

8 (b) Notwithstanding the provisions of any general law, special law, regulation, or  
9 collective bargaining agreement to the contrary, the results from student learning measures that  
10 inform the educator plan or self-assessment shall not be used, in whole or in part, in an  
11 educator’s formative evaluation, formative assessment, or summative evaluation for the four  
12 academic years from the effective date of this act.

13 (c) The department shall not implement or use the mandated state standardized  
14 assessment to satisfy the accountability provisions of section 1J or section 1K, for the school  
15 years beginning in the fall of 2020 through the school year ending in 2024.

16 SECTION 2. Notwithstanding any general or special law to the contrary, the  
17 commissioner of elementary and secondary education shall submit to the United States  
18 Department of Education a request that the Commonwealth’s statewide assessment,  
19 accountability and reporting requirements under the Elementary and Secondary Education Act be  
20 waived for the 2020-2024 school years. The request shall be made pursuant to section 8401 of  
21 the Elementary and Secondary Education Act and shall include a request to waive the assessment  
22 requirements in section 1111(b)(2); the accountability and school identification requirements in  
23 sections 1111(c)(4) and 1111(d)(2)(C)-(D); and the report card provisions related to assessments  
24 and accountability in section 1111(h).

25 SECTION 3. (a) There shall be a special commission on the school and district  
26 evaluation system, assessment instruments, and requirements regarding underperforming schools  
27 and school districts. The commission shall review the performance, efficacy and impact of the  
28 state’s school and district evaluation system, including indicators, the framework and the process  
29 used to evaluate school and district performance, including, but not limited to, district and school

30 goals, availability of programs, assessment instruments used to measure academic progress  
31 indicators of social, emotional and physical health of students and staff, opportunities for  
32 instruction in civics, arts and creative expression, communication and social skills, racial and  
33 social equity, and level of resources provided.

34           Members of the commission shall include the house and senate chairs of the joint  
35 committee on education or their designees, who shall serve as co-chairs; the secretary of  
36 education; the commissioner of elementary and secondary education; the commissioner of early  
37 education and care; the speaker of the house of representatives or a designee; the president of the  
38 senate or a designee; the minority leader of the house of representatives or a designee; the  
39 minority leader of the senate or a designee; and 1 member to be appointed by each of the  
40 following organizations: the Massachusetts Association of School Committees, Inc.; the  
41 Massachusetts Association of School Superintendents, Inc.; the Massachusetts Teachers  
42 Association; the American Federation of Teachers Massachusetts; the Massachusetts Association  
43 of Vocational Administrators, Inc.; the Massachusetts Association of Regional Schools, Inc.; The  
44 Massachusetts Parent Teacher Association, New England Area Conference (NEAC) of the  
45 NAACP; La Comunidad; Chelsea Collaborative; Muslim Justice League; the Massachusetts  
46 State Student Advisory Council to the Board of Elementary and Secondary Education; and a  
47 person with academic expertise in the intersection of public health and education to be appointed  
48 by the co-chairs. The commissioner of elementary and secondary education shall furnish  
49 reasonable staff and other support for the work of the commission, including administration of  
50 the grant program established in subsection (b). Prior to issuing its recommendations, the  
51 commission shall conduct not fewer than 4 public hearings across regions of the commonwealth,  
52 and shall review reports, and recommendations from the school district task forces created in

53 subsection (c). The special commission shall make recommendations, including proposed  
54 amendments to sections 1I, 1J and 1K of chapter 69 of the General Laws. The special  
55 commission shall file its recommendations, together with drafts of legislation necessary to carry  
56 those recommendations into effect, with the clerks of the senate and house of representatives on  
57 or before December 31, 2022.

58 (b) The commission shall create a grant program within 90 days of the enactment of this  
59 act to support the establishment of district task forces to develop and pilot school and district  
60 evaluation models. The purpose of the grant program is to enable educators, students, parents  
61 and local districts to establish a vision and goals for their public schools; to determine how best  
62 to evaluate whether or not their vision and goals are being met; and to identify what resources  
63 are needed to realize those goals. The further purpose of the grant program is to provide the  
64 commission established with locally informed, practical information and feedback to inform its  
65 work, findings and recommendations. The commission shall approve all grant decisions related  
66 to the program, which shall be administered by the department of elementary and secondary  
67 education. Grants to school districts, not to exceed \$15,000, shall be funded from the 21st  
68 Century Education Trust Fund.

69 (c) A school district task force on assessment shall be formed at the local level in no more  
70 than 25 public-school districts. The participating school districts shall include districts from each  
71 region of the state and include regional school districts, economically disadvantaged school  
72 districts as defined in section 3A of chapter 23A of the General Laws and school districts with a  
73 significant population of English language learners as defined in subsection (d) of section 2 of  
74 chapter 71A of the General Laws.

75           Each task force shall be co-chaired by the chair of the school committee, or the chair's  
76   designee, and the president of the authorized collective bargaining agent representing licensed  
77   educators, or the president's designee. In addition to the co-chairs, the task force composition  
78   shall consist of no more than nine members of the community, parents, school staff including  
79   administrators and educators, and students as appropriate. The task forces may convene within  
80   30 days of notification by the department that a grant has been awarded to the district.

81           Each task force shall annually report on its progress to the department of elementary and  
82   secondary education, which shall furnish the reports to the commission.

83           (d) The department of elementary and secondary education shall submit a preliminary  
84   report on the status of the grant program, progress of applicants and assess the need for increased  
85   funding after the initial application cycle to the commission to inform its work and  
86   recommendations.