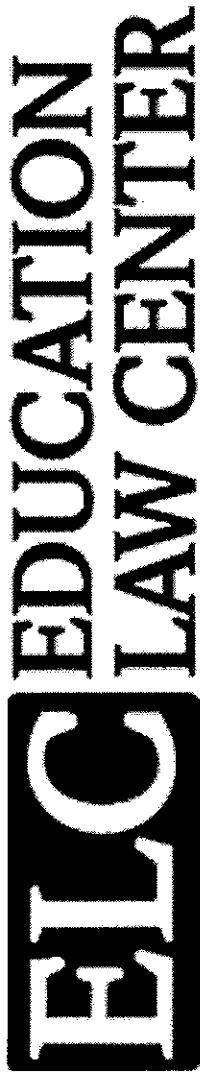


APPENDIX

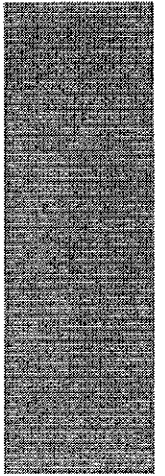


NJ'S GRADUATION TESTING POLICIES

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

MAY 14, 2019

Stan Karp
Director, Secondary Reform Project
Education Law Center



NJ Graduation Rates Rising, Gaps Narrowing

2

Student Group	2011 % Rate	2018 % Rate	Increase
All students	83	90.9	7.9
White	90	94.9	4.9
Asian	93	97.1	4.1
African American	69	84.2	15.2
Hispanic	73	84.8	11.8
Econ. Disadvantaged	71	84.6	13.6
Students w/disabilities	73	80.1	7.1
ELLs	68	75.8	7.8

NJ High School Graduation Rate

- Above 90% in 2016 for first time
- Second highest in the US
- Has risen 7 straight years
- NJ rate for econ. disadvantaged students almost equal to US rate for all students (83.4% v. 84.6%)

Proficiency Standards & Assessment Act, 1979



Requires...

- An 11th grade test in Math & LAL
- Re-testing opportunities on the designated graduation test
- An alternative assessment for students who don't pass

“utilizing techniques and instruments other than standardized tests”

“The test shall measure those basic skills all students must possess to function politically, economically and socially in a democratic society”

History/Background NJ Exit Testing

Graduation Tests

▣ Minimum Basic Skills	1982
▣ HSPT 9	1986
▣ HSPT11	1994 (statute revised)
▣ HSPA	2002
▣ PARCC	2016

Alternative Assessments

- ▣ SRA
- ▣ AHSA
- ▣ Portfolio

2016 Changes Raised APA Issues

6

Rules originally imposed on class of 2016 without new regulations in violation of APA

Challenge filed in OAL by ELC & ACLU-NJ on behalf of parents/students.

2016 settlement agreement included:

- Protections for students in senior class of 2016
- Acknowledgement that APA was not followed and new regulations were required
- Pathway data collection to track impact

2016 Regulations Raised New Legal Issues

- 2016 regulations contradicted provisions of statute
 - No 11th grade test
 - Limited re-testing opportunities
 - Restricted access to alternatives
- Use of fee-based tests raised legal and equity concerns
- 2016 regulations phased out alternatives after 2020

Disparate impact



Graduated By Passing PARCC	2018	2017	2016
White	46%	29%	10%
Hispanic	36%	23%	9%
Black or African American	27%	17%	6%
Economically Disadvantaged Students	33%	21%	8%
Students with Disabilities	16%	7%	4%
English Learners	7%	3%	3%
Total Statewide	42%	27%	9%

Multiple pathways sustained high graduation rates

10

	Graduated through PARCC		Used substitute assessments	
2016	9,000	9%	74,000	77%
2017	26,000	27%	61,000	62%
2018	42,000	42%	43,500	43%

Under 2016 regulations, “substitute assessments” were to be phased out after 2020.

16x

Appellate Division Ruling 12/31/18

11

- Existing regulations declared invalid for violations of state law and the “plain language” of the statute.
- Left current high school students without clear paths to graduation.
- Consent decree, signed in February, allows seniors and juniors in the classes of 2019 and 2020 to graduate under the existing 2019 rules, which provide access to the broadest range of graduation pathway options.
- Currently, there are no graduation rules in place for freshmen and sophomores in the classes of 2021 and 2022 or beyond, including the class of 2023, who will be incoming freshmen next September.

x

Impact/Lessons

The 2016 rules led to a major increase in high school testing.

- ESSA requires two assessments in HS grades (one ELA, one math)
- Under 2016 rules, NJ was giving six, since reduced to four.
- In addition, many students took multiple “substitute” exams to satisfy graduation testing requirement.

The complicated and changing grad rules caused—and are still causing—considerable confusion among families, students, schools and districts.

Consensus that the existing law requiring 11th grade exit test should be repealed or revised.

Recommendations

Extend the February consent decree to cover all current high school students in classes 2019 through 2022.

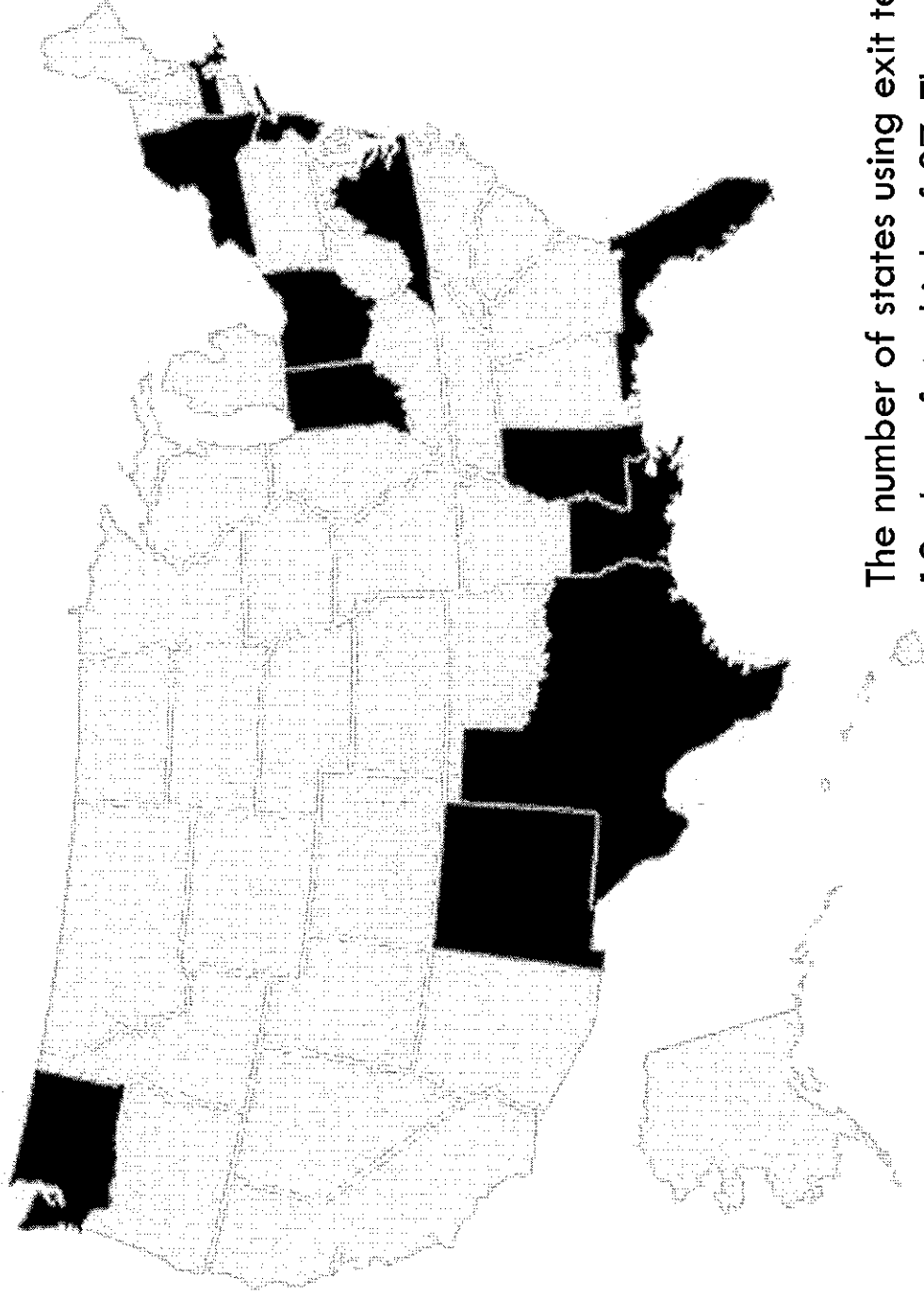
Suspend the existing graduation testing statute pending further legislative hearings and review and NJDOE's development of new state assessments.

Existing state assessments should continue for ESSA and state accountability purposes, but should not be used to make graduation determinations for individual students after the consent decree expires.

In the future, once a class has entered ninth grade, the graduation requirements should not be changed for that class during their HS careers.

The annual pathway data collection should be continued and improved with more complete and reliable data about the ways students satisfy the graduation assessment requirements.

States Requiring Students to Pass a Test to Graduate from High School:



The number of states using exit tests in 2019 is 12, down from high of 27. There is no federal mandate requiring high school exit testing.

For More Information:

Education Law Center

Standing Up for Public School Children

www.edlawcenter.org

Stan Karp

skarp@edlawcenter.org

60 Park Place, Suite 300

Newark, NJ 07102

Phone: 973.624.1815 x28



920 West State Street • Trenton, NJ 08618-5328
609.599.2900 / Fax: 609.599.9359 website: <http://www.njasa.net>

Joint Committee on the Public Schools

Testimony Concerning Statewide Standardized Assessment May 14, 2019

Submitted by Melanie Schulz, NJASA Director of Government Relations

Thank you, Senator Rice, Assemblywoman Jasey and Members of the Joint Committee on the Public Schools for the opportunity to speak to you on the topic of assessments.

At NJASA, this has been a primary topic of discussion, and I would like to address my comments in what are three different, but related, buckets.

First – there is an immediate need to expand the *Consent Order* to include the graduating classes of 2021 and 2022.

Absent expanding the *Consent Order*, legislation must be passed to eliminate the 11th grade assessment requirement for graduation.

The consequences of neither of these occurring will cause chaos in school districts.

Right now, school leaders and faculty have no idea what this assessment will look like, nor do they have any direction about how to inform students on what will be tested.

There has been much speculation on what that might be, but superintendents must plan their school year around what is concrete and not conjecture.

Also, keep in mind that even if the *Consent Order* is expanded to include the classes of 2021 and 2022, it does not remove the 11th grade exit exam requirement, and the NJ DOE will have to

start looking at a possible RFP in 6-8 months for those graduating classes starting in 2023, who are those students currently in 8th grade.

The *Consent Order* summary is as follows:

The Classes of 2019 and 2020

Students graduating as members of the Classes of 2019 and 2020 can meet graduation assessment requirements through any of these three pathways:

- (1) Achieve passing scores on high school level NJSLA/PARCC assessments;
- (2) Achieve scores defined in the table below on alternative assessments such as the SAT, ACT, or ACCUPLACER; or
- (3) Submit, through the district, a student portfolio appeal to the NJDOE.

Our position has been to put a bill on the Governor's desk and if the amendment to the *Consent Order* is approved, then the Governor can veto the legislation.

Second – I would like to address assessment going forward.

NJASA, along with many other stakeholders, has been meeting regularly on the “next generation” of assessments.

Federal Law requires States to conduct assessments, as a condition of receiving Federal funds.

Statewide assessments are required in mathematics and English language arts every year in third through eighth grade and once in high school.

Separately, Federal law also requires a science assessment once in each of the three grade spans: third through fifth, sixth through ninth, and tenth through twelfth.

Working together with stakeholders on what these assessments should look like is necessary and should not be confused with high school exit testing.

Third – NJASA fully supports the creation of a NJ Commission on High School Graduation Assessment Requirements.

The commission would research and study best practices, as well as how other States address high school graduation requirements.

The stakeholders would work for about a year. September 1, 2020 is the date that has been discussed for submitting the final report which would propose recommendations to the Governor, the Legislature and the State Board of Education.

This is vital work that needs to be done, and I ask that legislation be introduced as soon as possible and moved in the Legislature so this commission can begin its work.

Again, thank you for allowing me to speak on behalf of NJASA.

ELA and Math Assessment Graduation Requirements for the Classes of 2019 and 2020

This document reflects the high school graduation assessment requirements for the Classes of 2019 and 2020, pursuant to a consent order received by the NJDOE from the Appellate Division of the New Jersey Superior Court. The requirements for the Class of 2019 remain unchanged from the requirements that have been effective since September 6, 2016. However, the requirements for the Class of 2020 were modified through the consent order. Please note the cut scores listed below are the same cut scores that were available to the Class of 2018.

Pathways Available	English Language Arts/Literacy (ELA)	Mathematics
First Pathway: Take and Pass a PARCC/NJSLA Test	NJSLA/PARCC ELA Grade 9 ≥ 750 (Level 4), <i>or</i> NJSLA/PARCC ELA Grade 10 ≥ 750 (Level 4), <i>or</i> NJSLA/PARCC ELA Grade 11 ≥ 725 (Level 3)	PARCC Algebra I ≥ 750 (Level 4), <i>or</i> PARCC Geometry ≥ 725 (Level 3), <i>or</i> PARCC Algebra II ≥ 725 (Level 3)
Second Pathway: Meet Designated Cut Score on One of the Alternative Assessments	SAT Critical Reading (taken before 3/1/16) ≥ 400 , <i>or</i> SAT Evidence-Based Reading and Writing Section (taken 3/1/16 or later) ≥ 450 , <i>or</i> SAT Reading Test (taken 3/1/16 or later) ≥ 22 , <i>or</i> ACT Reading or ACT PLAN Reading ² ≥ 16 , <i>or</i> ACCUPLACER WritePlacer ≥ 6 , <i>or</i> ACCUPLACER WritePlacer ESL ≥ 4 , <i>or</i> PSAT10 Reading or PSAT/NMSQT Reading (taken before 10/1/15) ≥ 40 , <i>or</i> PSAT10 Reading or PSAT/NMSQT Reading (taken 10/1/15 or later) ≥ 22 , <i>or</i> ACT Aspire Reading ² ≥ 422 , <i>or</i> ASVAB-AFQT Composite ≥ 31	SAT Math (taken before 3/1/16) ≥ 400 , <i>or</i> SAT Math Section (taken 3/1/16 or later) ≥ 440 , <i>or</i> SAT Math Test (taken 3/1/16 or later) ≥ 22 , <i>or</i> ACT or ACT PLAN Math ¹ ≥ 16 , <i>or</i> ACCUPLACER Elementary Algebra ≥ 76 , <i>or</i> Next-Generation ACCUPLACER Quantitative Reasoning, Algebra, and Statistics (QAS) (beginning January 2019) ² ≥ 255 , <i>or</i> PSAT10 Math or PSAT/NMSQT Math (taken before 10/1/15) ≥ 40 , <i>or</i> PSAT10 Math or PSAT/NMSQT Math (taken 10/1/15 or later) ≥ 22 , <i>or</i> ACT Aspire Math ² ≥ 422 , <i>or</i> ASVAB-AFQT Composite ≥ 31
Third Pathway: Portfolio Appeals	Meet the criteria of the NJDOE Portfolio Appeal for ELA	Meet the criteria of the NJDOE Portfolio Appeal for Math

¹ Test is no longer administered but can be used for the graduating year.

² Beginning on **Monday, January 28, 2019**, classic ACCUPLACER tests were no longer available. QAS will replace ACCUPLACER Elementary Algebra.

ABOLISHING GRADUATION EXAM REQUIREMENTS

TESTIMONY BEFORE THE NEW JERSEY
JOINT COMMITTEE ON PUBLIC SCHOOLS
MAY 14TH 2019

Why graduation
exams don't
advance
education

The national
trend away from
graduation exams

Better ways to
assess students
and schools

AGENDA

A SOLUTION IN SEARCH OF A PROBLEM

GRADUATION EXAMS
DON'T ADVANCE
EDUCATION

GRADUATION EXAMS DON'T IMPROVE EDUCATIONAL OUTCOMES...

Research indicates that graduation exams provide no useful data to either colleges or employers.

- Tests don't measure the right skills for collegiate success
- Tests haven't been shown to make high school graduates more employable, or ready for higher wages

States with graduation exams don't produce stronger college students

- No decline in remedial college placements with expansion of graduation exams
- Multiple studies have found no correlation between exit exams and student achievement

...AND IN FACT MAY HARM THEM

A 2010 study found that in Massachusetts-often held as the model for the power of high stakes tests- barely failing the MCAS math section was linked to an 8 percentage point drop in graduation rates compared to students who barely passed.

Several studies have linked graduation exams with increased drop-out rates, especially among long-income students and in high poverty schools and districts.

At least one 2013 study linked graduation exams with increased rates of incarceration

THEY ALSO DON'T ACCURATELY MEASURE THAT ACHIEVEMENT

- Test taking is a skill—one that doesn't correlate with post-secondary success
 - Standardized tests don't measure the research, analysis, collaboration and communication skills needed in a knowledge economy
 - Students, especially those with anxiety, learning disorders, or English as a second language, may excel academically, but struggle with exams
- One test is a bad measurement tool
 - Measurement industry standards (as well as almost all associations of professional educators) advise against using any one test score to make a decision
 - Parental income remains the single best predictor of test score—not a measure of school or student quality

BUT THEY DO REINFORCE THE INEQUITY THEY DOCUMENT

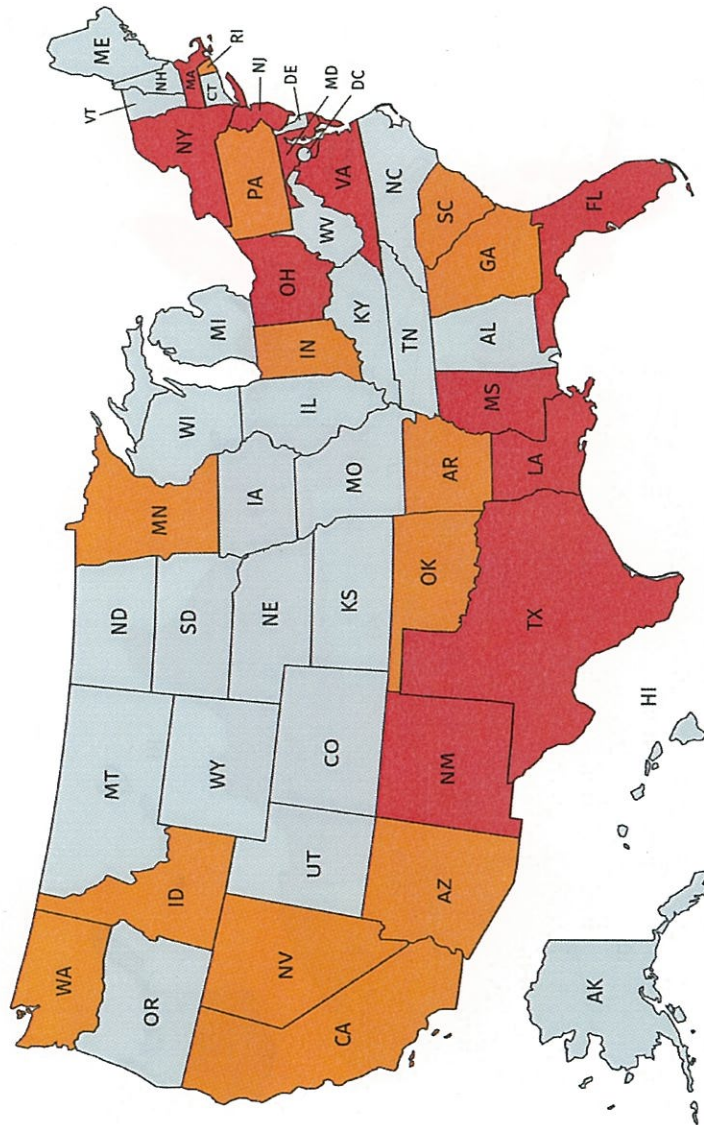
- Standardized tests have documented decades of systemic inequity in education for low income communities, communities of color, special education students and English language learners.
- They have NOT helped us to reverse those inequities
- Making students responsible for our failure to provide educational equity is no substitute for providing that equity
- Encourages schools to teach to the test; funding aside, schools serving poor students look different than schools serving rich ones

WHEN YOU'RE IN A HOLE, STOP DIGGING

THE MOVE AWAY FROM
GRADUATION EXAMS

lolox

STATES THAT HAVE HAD GRADUATION EXAMS



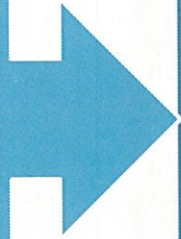
STATES WITH
GRADUATION
EXAMS AS OF
MAY 10, 2019



IF NOT GRADUATION EXAMS, THEN WHAT??

AUTHENTIC ASSESSMENT ALTERNATIVES

New Jersey needs to know if it's
providing the education it's students
deserve



More authentic assessments are possible

New York Performance Standards
Consortium does portfolio based
assessments

Massachusetts Consortium for
Innovative Educational Assessment
is developing multivariable school
and student assessments

New Hampshire's Performance
Assessment of Competency
Education is developing task based
assessments

GIVING UP ON
GRADUATION
EXAMS IS NOT
GIVING UP ON
ASSESSMENT

70x

Graduation Exams
neither measure nor
improve student
education

There is growing
bipartisan movement
away from graduation
exams

There is a moment
to replace graduation
exams with authentic
assessments

IN CONCLUSION

Andre Green

andre@fairtest.org

(617)477-9792

THANK YOU



**Joint Committee on Education
Shelley Skinner Testimony
I May 14, 2019**

Good morning. My name is Shelley Skinner, I am the Executive Director of Better Education for Kids, a statewide education advocacy organization focused on ensuring all public school students, no matter their zip code or the size of their family's financial resources, have the opportunity to have a high quality public education. Thank you for giving me the opportunity to testify this morning.

The public debate over K-12 assessments continues to be a difficult one for parents teachers and school leaders. I fear that our with the fierceness of the debate we lose sight on *why* we need an objective measure which is to ensure our students are genuinely college and career ready. Testing isn't a popular policy to defend but we do all of our students a disservice by not making sure they have mastered basic content that is critical for post secondary success. Having good grades simply is not enough. Recently the Boston Globe wrote extensively on the false sense of security even good grade can have on students. ~~The Boston Globe did an extensive report on this very topic.~~ "The harm done by lowered expectations doesn't just befall the kids who are barely making it through high school. As illustrated by those profiled in the *Globe*, a disservice is being done to their high-achieving peers not young people at risk of not graduating at all, but those who leave high school at the top of their class and under the impression that they're fully ready for college, including elite schools like Bryn Mawr, B.U., and B.C. They discover—with surprise, pain, angst, embarrassment—that they're nowhere near ready. The culprit is grade inflation, which occurs when subjective course grades exceed objective measures of performance."¹

¹ https://edexcellence.net/articles/rampant-grade-inflation-is-harming-vulnerable-high-schoolers?utm_source=National+Education+Gadfly+Weekly&utm_campaign=92e57e5344-

Test results are not the sum of a student's academic achievement far from it. But a high quality assessment is an effective diagnostic tool to learn which standards students understand and what which ones they are struggling to learn. These assessments provide data to educators on how to best use their resources to improve student mastery of New Jersey's Standards.

It took three years to transition from the outdated NJASK to the PARCC/NJSLA. That was three years of hard work by principals, teachers and local school boards to provide professional development, make necessary upgrades to technology infrastructure and communicate to students and families. I think most of us would agree that even with a three year runway the roll out left many teachers, parents and students confused, worried and generally disillusioned.

The good news is, five years later, the field has adjusted to the current statewide assessment, opt outs are down and proficiency rates have climbed for all groups. Despite the vigorous protest by many, the academic sky didn't fall with a more rigorous assessment. In fact proficiency rates continue to rise year over year. One of the most promising data points is that African American and Hispanic students in New Jersey have made remarkable gains in ELA in grades 3-8. African American students have seen an average percentage point increase of 9.5 in ELA since 2015, and Hispanic students have seen an average percentage point increase of 10.9 in the same time period. By comparison, the state average is a 7.8 percentage point increase in ELA.

Better Education for Kids supports the administration's plans to development the next generation of assessments. There is no more important work than preparing our students for the ever-changing demands of a competitive global economy. We encourage to the Department of Education to learn from the shortcomings of the transition from NJASK to

PARCC by providing adequate time and resources for school leaders and teachers, and extensive stakeholder communication.

Finally, I would be remiss in not communicating our deep concern about the high school graduation requirements for the class of 2021 and 2022. on December 31, 2018, the Appellate Division invalidated the regulations that implemented New Jersey's graduation assessment requirements. The Department of Education entered into a consent decree that left in place the current graduation pathways for students in the Classes of 2019 and 2020 but not for the class of 2021 (current Sophomores) and 2022 (current Freshman).

Since that agreement, no information has been disseminated to the parents and students of 2021 and 2022 indicating that the graduation requirement has changed and that they will be required to take an additional assessment in 11th grade to graduate high school. Both the class of 2021 and 2022 took the NJSLA assessment with the knowledge they were fulfilling their graduation requirement when that is not in fact the case. We are equally concerned that there has been little to no information provided by the Department of Education to schools and educators, about the timeline or process for implementing an 11th grade assessment next school year. We strongly encourage that the Department of Education communicate to parents and students about the change in the graduation requirement and what their plans are to meet the current legal requirement for graduating.

Thank you.

**TESTIMONY OF HARRY LEE
INTERIM PRESIDENT
NEW JERSEY CHARTER SCHOOLS ASSOCIATION

JOINT COMMITTEE ON THE PUBLIC SCHOOLS**

**MAY 14, 2019
ASSESSMENT**

Good morning, Members of the Joint Committee on Public Schools.

My name is Harry Lee and I am the Interim President of the New Jersey Charter Schools Association. We are a non-profit membership organization that has represented New Jersey's public charter schools and the students and parents they serve since 1999. Our mission is to advance quality public education for New Jersey's children through excellent public charter schools. We believe that every child in the State of New Jersey should have the opportunity to attend a high-quality public school that best meets his or her needs.

Towards that end, we and our members support a system of robust and thoughtful assessment for all public schools including public charter schools; a system that answers key questions about the effectiveness of instructional programs and holds schools responsible for student outcomes.

It has long been known that different school districts produce dramatically different outcomes for their students, and in the past it had been the practice to blame these differences on the students themselves.

For decades, especially in New Jersey's urban districts, there was little progress in measures such as graduation rates, college attendance, and career readiness, even as more equitable funding was provided. Further, hidden disparities in student outcomes persisted invisibly throughout the state, even in affluent school districts.

The achievement gaps between different ethnic groups and affluent and economically challenged communities is now well documented and it is widely accepted that it must be addressed wherever it appears. In the absence of this data, the whole issue of the achievement gap would not have been understood or addressed.

While we have a long way to go, there are important proof points to see what is possible in public education. Over the past 20 years, improved statewide assessments have shed a light on both what is happening and what is possible.

We have now seen public schools in some of our most economically disadvantaged communities demonstrate that all students can achieve high levels of academic proficiency on state tests, graduate high school, and attend and succeed in college. Our system of statewide assessments, whether NJASK, HSPA, PARCC, or NJSLA, has focused our attention on whether students are learning adequately and has—however imperfectly—provided schools with an objective measure of program success. We have seen that when schools align their curriculums with state standards and train their teachers in effective instructional practices that are informed by formative and interim data, measures of success rise for all students.

New Jersey's charter sector demonstrates what is possible. For example, Newark charter schools are delivering breakthrough results for students in the city. In Newark, there are currently 19,000 students attending public charter schools. Last year, charter students in Newark eliminated the achievement gap and outperformed the state average in both English language arts (ELA) and mathematics on PARCC. 83% of Newark charter students come from low-income backgrounds which is more than double the state

average. Beating the state average is an incredible accomplishment since New Jersey has one of the highest performing charter sectors in the country.

When we view two schools in the same community, serving virtually the same students, with dramatically different outcomes on state assessments, we know we will find different instructional practices and school cultures in place. This is not surprising, but it is important to our growing understanding of what works.

Good assessments answer questions and provide insights into student learning, both individually and collectively. As we consider alternatives to the current assessment program, let's keep in the mind the questions which any future system must answer:

- Are students learning adequately to be prepared for college and career?
- Are schools effective in their instructional programs for all students, regardless of where they live, their backgrounds, or special needs?
- Are changes to our instructional programs and standards more or less effective in driving student success?

No single test can answer all these questions satisfactorily, but we need data points to get us started. Let's keep in mind the lessons of the past 20 years as we consider how to improve statewide assessments to better support all students in their learning and lives.

Thank you for the opportunity to speak and I would be happy to answer any questions members of the committee may have.

###

New Jersey Joint Committee on the Public Schools
May 14, 2019
Comments on State Assessments, Equity, and Accountability

Submitted by Christopher H. Tienken, EdD
Associate Professor of Education Leadership, Management, and Policy
Seton Hall University
South Orange, NJ
christienken@gmail.com

Good morning Senator Rice and Assemblywoman Jasey and honorable members of the Joint Committee.

My comments today come from years of research on the topic of standardized testing as a professor and from experiences with testing as a former assistant superintendent, principal, and teacher. Overall, the large body of results on the usefulness of standardized test results suggest they are blunt and inaccurate measures of the quality of teaching and learning that take place in schools and they do nothing to address inequality of achievement.

The achievement gap itself is an offensive term that suggest there is something wrong with students, specifically students of color and students from poverty because those are the students who are always identified as having an achievement gap. The term suggests that those students lack something that Caucasian student have.

The achievement gap is a distraction – it is a symptom of a much larger problem that exists in our society: The enactment of policies that favor one group over others- policies that create, by design, inequalities of opportunity. These include tax policies that widen income inequality, housing policies that segregate communities, labor policies that keep specific groups of people on the margins, and even our own school funding policies that have clearly created winners and losers in ways that are completely inequitable.

Unfortunately, high school exist exams, or any standardized tests for that matter have no history of closing opportunity gaps, achievement gaps, or any other gaps. If they did, New Jersey would not have any gaps, as we have had high school exit exams for decades.

Standardized test results do not capture accurately tell what or how well students learn, or how much they know about a specific topic. The results tell us more about the social and economic conditions in which students live and grow than what they know and can do.

Colleagues and I have conducted a series of studies in New Jersey, Connecticut, Massachusetts, Iowa, Michigan, and now in Ohio, in which the results from standardized tests were predicted by knowing only a few demographic factors found in the U.S. Census data about the community and families served by schools.

The findings from these various studies suggest that there are serious flaws built into education accountability systems that rely on standardized test results.

Most recently, we predicted the percentages of New Jersey high school students who would score at Level 4 or above on the PARCC Algebra I and English 10 assessments for 75% and 71% of the school districts by just using two demographic variables; the percentage of families in a community with income less than \$35,000 a year and the percentage of families in a community with income greater than \$200,000 a year. We conducted similar studies and found similar results with the HSPA and the NJASK with some other variables.

Our models can identify how much a particular variable affects students' scores. That allows us to identify the most important demographic characteristics as they relate to the test results. For example, by looking at just one characteristic – the percentage of families in a given community living in poverty – we were able to account for 50% of the test score in English language arts. That is, just one demographic factor accounts for half of the score. Regardless of the district, we were able to predict the results. The interesting thing is that all the factors we found that predicted tests scores accurately were outside the control of the school and really told us more about where the student lived than how the student learned.

In a national study I conducted several years ago I looked at the scores for various groups of students from all the states that had high school exit exams. At that time it was 26 states, now it is just a dozen, as most states have realized they are relatively useless. But what I found, without exception, was that the group of students categorized as economically disadvantaged scored consistently lower than non-disadvantaged students. This finding was not groundbreaking, but was consistent with the findings from the NAEP test as well. However, the interesting thing was that the finding holds true regardless of the district. That is, even in what are labeled Blue Ribbon or high quality schools and districts, the scores of students from poverty are still lower.

That is because the tests are picking up the noise from students' lives, not their potential as human beings, not how much learn, not the kind of people they are, not their hopes, passions, and interests.

To be clear, this doesn't mean that money determines how much students can learn. In fact, that couldn't be further from the truth. Study after study demonstrate that students from poverty learn as much in school year than students not in poverty – they just start at a different place. So if everyone is in a race, and they all run at relatively the same speed, yet one group starts 50 yards behind or in front, it is not hard to see who will always be in the front.

Though some proponents of standardized assessments claim that scores can be used to measure year-to-year academic growth, we've found that there's simply too much noise in the scores to be useful indicators of learning or teaching. In fact, the inventor of the Student Growth Percentile (SGP) used right here in New Jersey, Damien Betebenner stated in his September 2011 article that "the results of standardized assessments should never be used as the sole determinant of education or educator quality" – yet here we are, still debating whether a standardized test should be used to determine high school graduation.

Nationally known tests like the SAT suffer from the same issues yet they are more pernicious as it relates to the opportunity gap and poverty. For example, there is about a 150 point difference between the scores of students living in a families making \$40,000 a year and those making \$80,000 a year and almost a 300 point difference between that same family making \$40,000 a year and a family making \$180,000, which we have a lot of both in New Jersey.

In short, the results from standardized tests do not close any gaps whatsoever – they actually create perception gaps: They increase the negative portrayals of students from poverty and students of color. They reinforce stereotypes and are used to justify policies that strip certain communities of badly needed resources.

Using standardized tests results for high stakes decisions do little to inform a system of education and they ensure that certain groups of students will have to jump through more hoops and pay a higher price to graduate than other groups of students. Again, students who need the most, get the least, and do more work than everyone else. How that is equitable is beyond my comprehension.

Accountability 3.0: Assessment to Inform Learning

The following comments come directly from an upcoming article that appeared in the Kappa Delta Pi Record and was distributed to the Committee.

At the end of the day, this entire argument over high school exist exams comes down to accountability. In its most basic sense, education accountability at the state level is about answering the questions, *How is the school doing and are students learning?* To fully answer that question, a comprehensive accountability program should address how well schools address the economic, social-emotional, socio-civic and avocational interests/hobbies of students (Dewey, 2016). This type of accountability requires a layered system that provides multiple measures and data points. The data points would be captured from the district, state, and regional accreditation layers.

The District Layer

The first layer of the comprehensive accountability system resides at the school district level. School districts should be accountable for assembling a portfolio of district-wide indicators that provide information on how well students are developing academically, socio-civically, and avocationally. The district level is ideal for providing in-depth information because districts can draw upon the many types of teacher-made assessments to help paint a picture of student development.

Districts can use high-quality, teacher-designed, assessments that foster effective teaching methods. Examples include assessing reading levels through running records and readers' workshop formats, writing prompts, literary analyses, and problem-based assessments that include socio-civic concepts and use of mathematics. Schools also can be judged on the types of avocational opportunities (clubs, hobbies, and organizations) they offer and how many students take advantage of those pursuits or have a hobby activity outside of school.

Although some might not want to accept it, over time, assessments made by teachers are better indicators of student achievement than standardized tests. For example, high school GPA, derived from teacher assessments, is a better predictor of first-year college success and four-year persistence than the SAT – that is according to the College Board’s own data from all SAT takers and large study by the University of California, Berkeley based on 80,000 students in the UC system (College Board, 2012; Geiser and Santelices, 2007). Also, high school GPA is less discriminatory against students from poverty and students of color than the SAT.

Existing Models

The New York Performance Standards Consortium is a group of almost 40 public schools that has developed authentic and problem-based assessments in areas such as higher-order thinking, writing, mathematical problem-solving, technology use, science research, appreciation and performance in the arts, service learning, and career skills. The schools use outside experts from universities and the community, along with the teachers, to audit assessment quality and results, review student work, and provide real-world feedback to students.

A clear framework for a district layer accountability structure already exists. The program known as the Nebraska School-based Teacher-led Assessment and Reporting System (STARS) was first implemented in Nebraska during the 2000–2001 school year under former Nebraska Commissioner of Education Doug Christensen (Dappen and Isernhagen, 2005). The Partnership for 21st Century Skills (2005) called it the “nation’s most innovative assessment system” (p. 13).

The program operated successfully until the 2009 school year when the political winds changed and an NCLB-friendly state legislature changed to an all commercial, standardized, test-based system. But the framework, including state policy documents, assessments, and protocols still exist; and state education leaders could easily reinvigorate the system without having to reinvent the accountability wheel.

The State Layer

The second layer involves the state department of education, in which state personnel serve a three-part role: (a) assessor, (b) auditor, and (c) professional developer. In the role of assessor, the state would administer low-stakes, nonintrusive, off-the-shelf standardized assessments of basic skills such as arithmetic and reading comprehension in grades 3–8 and high school. Such tests can be administered in 30 or 45 minutes, be finished in one day, and are inexpensive to administer and score. The results would carry little weight in the overall accountability system, but they would satisfy the federal ESSA testing requirement for compliance purposes.

The more important roles for state education personnel are those of auditor and professional developer. State personnel provide and/or facilitate job-embedded professional development for teachers on quality assessment design, problem-based activity development, and scoring protocols and processes. State personnel also provide an auditing system in which they audit a percentage of district-level accountability assessments to maintain quality control of the scoring processes.

National Accreditation Layer

The final layer is the capstone of the multidimensional accountability system: accreditation from third-party regional accreditation organizations. For instance, the process used by the Middle States Association of Colleges and Schools (2014) includes 12 components that cover all aspects of education at the school level: school mission, governance and leadership, school improvement planning, finances, facilities, system organization and staff, health and safety, information resources, educational program, assessment and evidence of student learning, student services, and student life and student activities.

National accreditation involves a comprehensive, multi-year process of intensive self-study by the school and district, a rigorous external review capped by a multi-day visitation by an independent team of accreditation auditors, and a detailed visitation report written by the team.

Accreditation looks at how schools are functioning on a broad range of components that affect all areas of schooling. When compared to national accreditation, the current system of QSAC review seems to be nothing more than bureaucratic hairspray to make an otherwise ineffective process look good.

Closing Argument

The time is right to revise New Jersey's ESSA plan to downplay the role of standardized test results and develop a multi-layer system of accountability to inform teaching and learning.

A three-layered approach to accountability provides triangulated data points from which to inform all areas of the education process. The layered approach brings a sense of balance in which one indicator cannot make or break the rating of a school district. The entire structure acts to provide feedback about school quality to the public and provides actionable formative data that school personnel can use for more evidence-informed school enhancement efforts.

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THE CONVERSATION

Academic rigor, journalistic flair

Students' test scores tell us more about the community they live in than what they know

July 5, 2017 6:54pm EDT

Students at an Atlanta elementary school prep for upcoming state standardized tests. AP Photo/David Goldman

Students' test scores tell us more about the community they live in than what they know

July 5, 2017 6:54pm EDT

Every year, policymakers across the U.S. make life-changing decisions based on the results of standardized tests.

These high-stakes decisions include, but are not limited to, student promotion to the next grade level, student eligibility to participate in advanced coursework, eligibility to graduate high school and teacher tenure. In 40 states, teachers are evaluated in part based on the results from student standardized tests, as are school administrators in almost 30 states.

However, research shows that the outcomes of standardized tests don't reflect the quality of instruction, as they're intended to. Colleagues and I have conducted studies in New Jersey, Connecticut, Massachusetts, Iowa and Michigan.

The results show that it's possible to predict the percentages of students who will score proficient or above on some standardized tests. We can do this just by looking at some of the important characteristics of the community, rather than factors related to the schools themselves, like student-teacher ratios or teacher quality.

This raises the possibility that there are serious flaws built into education accountability systems and the decisions about educators and students made within those systems.

Standardized tests

Students' scores on mandated standardized tests have been used to evaluate U.S. educators, students and schools since President George W. Bush signed the No Child Left Behind Act (NCLB) in 2002.

Author



Christopher Tienken

Associate Professor of Education
Leadership Management and Policy, Seton
Hall University

Although more than 20 states had previously instituted state testing in some grade levels by the late 1990s, NCLB mandated annual standardized testing in all 50 states. It required standardized mathematics and English language arts tests in grades three through eight and once in high school. State education officials also had to administer a standardized science test in fourth grade, eighth grade and once in high school.

The Obama administration expanded standardized testing through requirements in the Race to the Top grant program and by funding the development of two national standardized tests related to Common Core State Standards: Smarter Balanced Assessment Consortium (SBAC) and the Partnership for Assessment of Readiness of College and Careers (PARCC).

Forty-five states initially adopted the Common Core in some form. Approximately 20 are currently part of the PARCC or SBAC consortia. Key portions of Race to the Top applications required states use student test results to evaluate teachers and principals.

Predicting scores

It's already well-established that out-of-school, community demographic and family-level variables strongly influence student achievement on large-scale standardized tests.

For example, median family income is a strong predictor of SAT results. Other factors strongly linked to achievement on state standardized tests include parental education levels, percentage of lone parents in the school community and percentage of families living in poverty in the community.

We decided to see if we could predict standardized test scores based on demographic factors related to the community where a student lived. By looking at three to five community and family demographic variables from U.S. Census data, we have been able to accurately predict the percentages of students who score proficient or above on standardized test scores for grades three through 12. These predictions are made without looking at school district data factors such as school size, teacher experience or per pupil spending.

Our models can identify how much a particular variable affects students' scores. That allows us to identify the most important demographic characteristics as they relate to the test results. For example, by looking at just one characteristic – the percentage of families in a given community living in poverty – we can explain almost 58 percent of the test's score in eighth grade English language arts.

Our most recent study explored three years of test scores from grades six through eight in more than 300 New Jersey schools. We looked at the percentage of families in the community with income over US\$200,000 a year, the percentage of people in a community in poverty and the percentage of people in a community with bachelor's degrees. We found that we could predict the percent of students who scored proficient or above in 75 percent of the schools we sampled.

An earlier study that focused on fifth grade test scores in New Jersey predicted the results accurately for 84 percent of schools over a three-year period.

Smarter assessments

To be clear, this doesn't mean that money determines how much students can learn. That couldn't be further from the truth. In fact, our results demonstrate that standardized tests don't really measure how much students learn, or how well teachers teach, or how effective school leaders lead their schools. Such tests are blunt instruments that are highly susceptible to measuring out-of-school factors.

Though some proponents of standardized assessment claim that scores can be used to measure improvement, we've found that there's simply too much noise. Changes in test scores from year to year can be attributed to normal growth over the school year, whether the student had a bad day or feels sick or tired, computer malfunctions, or other unrelated factors.

According to the technical manuals published by the creators of standardized assessments, none of the tests currently in use to judge teacher or school administrator effectiveness or student achievement have been validated for those uses. For example, none of the PARCC research, as provided by PARCC, addresses these issues directly. The tests are simply not designed to diagnose learning. They are simply monitoring devices, as evidenced by their technical reports.

The bottom line is this: Whether you're trying to measure proficiency or growth, standardized tests are not the answer.

Though our results in several states have been compelling, we need more research on a national level to determine just how much test scores are influenced by out-of-school factors.

If these standardized test results can be predicted with a high level of accuracy by community and family factors, it would have major policy implications. In my opinion, it suggests we should jettison the entire policy foundation that uses such test results to make important decisions about school personnel and students. After all, these factors are outside the control of students and school personnel.

Although there are ideological disputes about the merits of standardized tests results, the science has become clearer. The results suggest standardized test results tell more about the community in which a student lives than the amount the student has learned or the academic, social and emotional growth of the student during a school year.

Although some might not want to accept it, over time, assessments made by teachers are better indicators of student achievement than standardized tests. For example, high school GPA, which is based on classroom assessments, is a better predictor of student success in the first year of college than the SAT.

This change would go a long way to providing important information about effective teaching, compared with a test score that has little to do with the teacher.



*J. Kenyon Kummings, Superintendent
Wildwood Public Schools
4300 Pacific Avenue
Wildwood, New Jersey 08260
Phone: 609-522-4157 Fax: 609-523-8161*

Wildwood Public Schools

May 14, 2019

RE: Assessment Testimony Before the Joint Committee on Public Schools

Members of the Joint Committee on the Public Schools,

My name is Kenyon Kummings and I am currently the Superintendent for Wildwood Public Schools (WPS). I was invited here to testify today on the topic of assessment. I have testified twice before this committee (October 2016 and April 2019). Both times I covered topics that were related to assessment, specifically in terms of the disruption it causes to the instructional environment, and the inequitable outcomes realized by our current systems. Our district has a high percentage of economically disadvantaged students and is racially and ethnically diverse. WPS is unique in that we continuously have one of the highest percentages of students living below the poverty line in New Jersey (50%). We have a high special education population (24%) as well as a large number of English Language Learners (ELL) (35% through 8th grade).

All children begin school at different starting points, some know all their letters, some can't identify the first letter of their first name, and others are learning the English language at the same time as the regular curriculum. We use our own internal systems of assessment to monitor their progress and adjust when needed. Unfortunately, the current landscape of high stakes standardized testing not only consumes invaluable instructional time, but also requires resources such as teachers needed to proctor, as well as technology to deliver the assessments that are needed for daily instruction. Urban students from low socioeconomic backgrounds need every minute of instruction available to them if they are going to perform at the levels of their more affluent peers. Although required federally, New Jersey should utilize any opportunity possible to reduce the volume of assessment that begins in Third Grade. This can be done by identifying and implementing the minimum amount of assessment necessary to be compliant and meet the standard that the United States Department of Education requires for accountability purposes.

The results of standardized assessments are currently used to identify the lowest performing schools for monitoring in an effort to improve student performance. This was originally done through the Collaborative Assessment for Planning and Achievement (CAPA), the Regional Achievement Centers (RAC), and most recently via The Office of Comprehensive Support. WPS has had schools subjected to all of these entities as a result of low test scores. Many meetings and mandatory reports later, the primary outcome of these mechanisms of state intervention is a disruption of the educational environment, with no quantifiable positive improvement that can be credited to these initiatives.

Working as a district in the New Jersey Network of Superintendents (NJNS), the approach to creating equity is predominantly focused on opportunity and access for ALL students regarding Pre K to 12 programs. We often hear about the outcomes of leveled coursework beginning in elementary school as early as third grade. These decisions can determine the trajectory of students for their entire school career. Finding solutions to remove barriers for minority populations is a focus of the group, and we learn that these barriers exist throughout the state. Schools tend to heavily weight standardized test scores in this identification process. A great volume of research exists regarding the validity of these assessments, as well as the bias many of their items contain. Most recently, attention has been focused on the validity of writing scores generated by artificial intelligence. There is also plenty of data to show the difference in performance trends when comparing demographic subgroups. For example, when SAT scores are disaggregated by household income, the scores increase as wealth increases.

It should also be noted when discussing validity of standardized assessments due to bias and scoring issues, that New Jersey is one of 12 states in the country that continues to make the high stakes decision

regarding the issuance of a high school diploma, by requiring a passing score on a standardized state assessment. This issue received a great deal of attention this year as we identified pathways for the current cohort of high school students to earn their diploma. Prior to the court challenge regarding New Jersey's requirement for students to take and pass an 11th grade test, students had a menu of options to satisfy the state's assessment requirement to earn their high school diploma. For students who could not pass these assessments, the final option was to go through the portfolio appeal process.

The argument has been made that we need this assessment requirement in an effort to keep the playing field even for students in urban and/or low socioeconomic areas when compared to students who attend districts in more affluent areas. Data from the NJDOE Graduation Pathway Data Collection show disparate outcomes for minority students and those from low socioeconomic backgrounds.

2018 data show that:

- 88% of the students who used the portfolio appeal were Black or Hispanic.
- 60% were economically disadvantaged.
- 31% were ELL.

2096 students were denied graduation for failing to pass a high school end-of-course PARCC, substitute competency tests, or portfolio appeals in 2018. Of them:

- 64% were Black or Hispanic.
- 49% were economically disadvantaged.
- 11% were ELL.

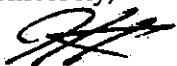
A disaggregated version of this data is needed to identify the number of students who pursued the portfolio process and were denied a high school diploma as a result. However, locally in WPS, we have not had a student be denied graduation via the portfolio process in my five years as superintendent. Are we, in effect, requiring minority students from low socioeconomic backgrounds to do more than their more affluent non-minority peers in order to earn a diploma? If so, are the accountability systems that are defended as mechanisms to ensure equity, actually facilitating inequities by doing more harm than good for minority students from low socioeconomic backgrounds? It is worth noting that for students whose families have the means to attend a private high school, there is no state testing requirement as a condition of high school graduation.

New Jersey identifies the standards which school districts use to generate curriculum. The state identifies a minimum amount and type of credits that students must complete as a graduation requirement, upon which our high schools build credit bearing coursework that students earn credit for passing. Students who meet these academic requirements, along with others such as attendance, but are not successful with the high school end-of-course PARCC or substitute competency tests, are given the opportunity to go through the portfolio process.

The state of New Jersey can control how standardized assessments are impacting the education of its students. I ask that the committee consider the following:

- Return the decision to issue a high school diploma to the public school districts, and remove this decision from third party test vendors (78% of the country follows this structure).
- Identify what is required to be compliant within the federal requirements, and find a way to do so with the least amount of disruption and negative impact to the education of our students.
- Ensure that school monitoring initiatives as a result of test scores improve the educational environments of schools, and prevent them from hindering the education that is in process.

Sincerely,



J. Kenyon Kummings, Superintendent



Meeting Location
188 Crest Haven Rd.
Cape May Court House
New Jersey 08210

September 28, 2016

To Whom It May Concern:

Attached you will find a resolution entitled; "Resolution of the Cape May County Administrators Association Concerning the Educational Impact of the PARCC Assessment". This was adopted by the Cape May County Administrators Association at its meeting on September 14, 2016. This resolution represents the position of the Association in its entirety, and was drafted utilizing notes from committee meetings of NJASA, CMCAA roundtables, as well as other documents, artifacts, and research.

The aim of this resolution is to identify global concerns of superintendents and other stakeholders within public education around the PARCC, and frame them in a manner that it will be considered for duplication across all 21 superintendents' county roundtables, as well as by any other educational entities and/or advocates of public education. The CMCAA maintains a willingness to partner with the NJDOE as well as other policy makers and legislators, to create the best possible environment for the education of all students, and to maintain and expand upon the outstanding reputation of public education that New Jersey has worked so hard to establish. Please share the resolution as you see appropriate.

Sincerely,

J. Kenyon Kummings
Superintendent, Wildwood Public Schools
NJASA Legislative Committee representative for Cape May County

JKK/jmp

**RESOLUTION OF THE CAPE MAY COUNTY ADMINISTRATORS ASSOCIATION
CONCERNING THE EDUCATIONAL IMPACT OF THE PARCC ASSESSMENT**

WHEREAS, on October 30, 2014, the Commissioner of the New Jersey Department of Education (NJDOE) stated that there are no formal procedures for parents to opt their children out of the 2015 administration of the PARCC assessment and implied that district Chief School Administrators (CSAs) take punitive action against parents who choose to opt out; and

WHEREAS, CSAs released public statements to their communities following the October, 30, 2014 memo, based on the Commissioner's guidance, that opting out of PARCC is not permitted and could result in disciplinary action; and

WHEREAS, the Commissioner of the NJDOE gave conflicting testimony on opt outs at the State Board of Education meeting on January 7, 2015 and implied that school leaders should accommodate opt-outs; and

WHEREAS, the seemingly inconsistent guidance provided by NJDOE officials to CSAs continues to disrupt the educational environment of school districts by providing inaccurate and/or incomplete information regarding the diagnostic value of the assessment and the most recent untimely August 31, 2016 NJDOE Broadcast announcing the change in mSGP percentages for teacher and principal evaluation; and

WHEREAS, the NJDOE required districts and charter schools whose spring 2015 PARCC participation rates were below 95% of eligible test takers to create a corrective action plan detailing how they will increase participation rates for this spring's PARCC; and

WHEREAS, the NJDOE exacerbates district scheduling and time constraints by providing late notice of field testing that not only further disrupts the educational environment of school districts but causes additional human and financial resources to be expended to re-design the assessment schedule and communicate the revised schedule to faculty, students and parents; and

WHEREAS, the majority of states have now dropped the high school exit exam as a requirement for graduation from high school; and

WHEREAS, New Jersey public schools have one of the highest high school graduation rates and highest ratings on the National Assessment of Educational Progress and the National Bureau of Economics Research and research members of the American Educational Research Association have found that high school exit exams increase incarceration rates and have no influence on employment and wages; and

WHEREAS, research by the College Board clearly suggests that high school grade point average is a better indicator of first-year college success and later persistence through college than the SAT and approximately 1,000 colleges and universities do not require either ACT or SAT results or make submitting the scores optional for students; and

WHEREAS, the format and timing of the PARCC assessment has changed since the spring administration in 2015, in that the 2014-2015 school year was designated by the NJDOE as a "New Baseline" year that contained two PARCC assessment windows, the results of which were aggregated to determine final performance; and

WHEREAS, in the 2015-2016 school year, the PARCC assessment consisted of one assessment window to determine a final performance; and

WHEREAS, the validity of the comparison between the 2014-2015 and 2015-2016 school years will now be compromised due to the change in the structure of the delivery and overall design of the PARCC assessment; and

WHEREAS, students, schools, teachers, administrators, and districts will still be held accountable for performance based on the results of this compromised comparison of the 2014-2015 and 2015-2016 school years' PARCC assessment data, and student participation rates over which districts have little control; and

WHEREAS, the preparation for, and administration of the PARCC assessment consumes a great volume of valuable instructional time and resources with no demonstrable instructionally valuable return, (i.e., that the assessment would be diagnostic at the student level); and

WHEREAS, results from empirical studies conducted during the last four years have consistently demonstrated that student results on New Jersey state mandated tests of skills and knowledge at all grade levels can be predicted by community and family census data.

NOW, THEREFORE, BE IT RESOLVED that the Cape May County Administrators Association ("the association")

(1) Urges the NJDOE to conduct a top down review of the entire premise of state mandated standardized high school exit exams; as well as the entire premise of high stakes standardized assessments in grades 3-12, with focus on cost, value, validity, and disruption by said assessments to the instructional environment of schools; and this association further

(2) Urges the NJDOE to explore other statewide assessments, in which the local districts share leadership for assessment with the state, along the lines of the Nebraska STARS programs that operated from 2000 to 2009, or The New York Standards Performance Consortium; and this association further

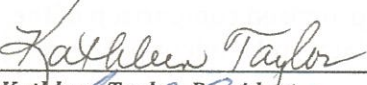
(3) Urges the NJDOE to review the accountability put upon districts, schools and faculty based on the PARCC assessment system that has not been proven to be a valid measurement of an effective instructional program; and this association further

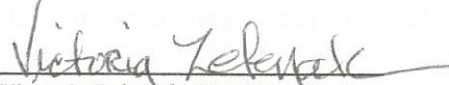
(4) Urges the NJDOE to perform an inquiry of the damage to the instructional programs of school districts caused by the PARCC assessment system, and to determine the value to the taxpayers of New Jersey of the PARCC assessment.

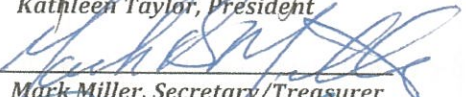
BE IT FURTHER RESOLVED, that this resolution be certified and submitted to our State Representatives, The New Jersey Association of School Administrators, the New Jersey School Boards Association, The New Jersey Principals and Supervisors Association, local municipal leaders, the board secretaries of each school district in the county, the County Office of Education, and the Office of the Commissioner of Education.

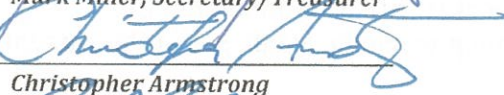
CERTIFICATION

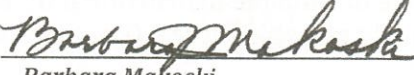
I, **Kathleen Taylor, President** of the Cape May County Administrators Association, in the County of Cape May, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Cape May County Administrators Association at a meeting held on the 14 day of Sept, 2016.


Kathleen Taylor, President


Victoria Zelenak, Vice President



Mark Miller, Secretary/Treasurer

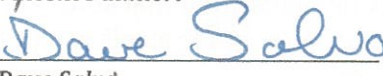

Christopher Armstrong


Barbara Makoski

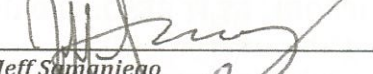

David Del Conte


Vincent Palmieri

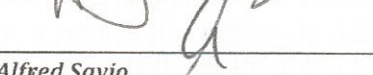

Anthony Devico


Dave Salvo

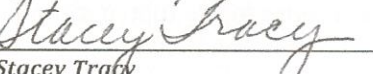

Nancy Hudanich


Jeff Samaniego


Christopher Kobik


Alfred Savio


J. Kenyon Kummings


Stacey Tracy

Dated: 9/14/16



*J. Kenyon Kummings, Superintendent
Wildwood Public Schools
4300 Pacific Avenue
Wildwood, New Jersey 08260
Phone: 609-522-4157 Fax: 609-523-8161*

Wildwood Public Schools

October 11, 2016

RE: ESSA Testimony Before the Joint Committee on Public Schools

To Whom It May Concern:

Good afternoon, my name is Kenyon Kummings, Superintendent of Wildwood Public Schools in Cape May County. Our district has a high percentage of economically disadvantaged students and is racially and ethnically diverse. I am here today to testify on two separate but related concerns.

Free and Reduced Lunch Status as a Data Point in Structuring Peer School Groups

NJASA Vision 20/20 Key Factors:

- Services that focus on high expectations and emphasize individualized outcomes in order to maximize the achievement of special needs youngsters
- Governance policies and practices that enhance trust and foster collaboration, communication and coordination

The first of which is on the use of free and reduced lunch status as a metric within any school accountability system, and primarily when identifying peer schools for use in the school performance reports. The performance report is the New Jersey Department of Education's (NJDOE) main vehicle for communicating with the public regarding the status and performance of our schools. We know from peer-reviewed studies, and over two decades of data from the National Assessment of Educational Progress (NAEP) that students on reduced lunch do not score statistically significantly differently than students not eligible for reduced lunch. However, students eligible for free lunch do score significantly lower. To aggregate the two is to create an inaccurate portrayal of the social conditions that a school is charged with navigating. For example, the composition of our elementary school is 90% free and reduced, with 85% free and 5% reduced. Under the current system, our school could be grouped with a school with the inverse of that distribution that is 5% free and 85% reduced. Those numbers represent two very different schools within two very different communities.

My request is that the department look to abandon the use of the percentage of students receiving reduced cost lunch and rely on either the free lunch rates exclusively, or the state of New Jersey's direct certification numbers that indicate if students are involved with the School Nutrition Assistance Program, Temporary Assistance for Needy Families, Food Distribution Programs and/or are foster children. This would be a standardized metric that would result in a more accurate portrayal and grouping of schools on reports such as the school performance report, or its next iteration.

Standardized Testing, Frequency and Accountability Structures

NJASA Vision 20/20 Key Factors:

- The recognition of many different and rigorous paths to academic achievement, all of which lead to lifelong learning and careers
- Ongoing and continuous professional development support to maintain the effectiveness of all educators

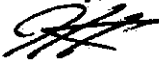
The second concern is in regard to standardized testing frequency and accountability structures. With the onset of NCLB in 2001, we began administering standardized tests in grades 3-8 and 11. That has now grown to potentially 6 compulsory assessments across ELA and Math during high school, one of the highest amounts of high school testing in the country. Any opportunity to decrease the frequency and volume of mandated testing will result in more opportunities for learning as well as a reduction in costs at the school, district and state levels. In addition, many states have abandoned the use of a standardized assessment as a graduation requirement (see attached CMCAA Resolution). Any opportunity to reduce the amount of state standardized assessment via pilots within ESSA should be strongly considered.

The results of standardized assessments are currently used to identify the lowest performing schools for monitoring in an effort to improve student performance. This was originally through the Collaborative Assessment for Planning and Achievement (CAPA), and most recently via the Regional Achievement Centers (RAC) an idea borrowed from other states. The implementation of ESSA offers an opportunity evolve from the current vantage point of monitoring into a new system with a focus on capacity building and support in a more thorough and efficient manner, taking into account protocols that have a proven record of effectiveness. There already exist national school accreditation associations for feedback and growth that have demonstrated track records: (i.e. Middle States Elementary and Secondary School Accreditation, and New England Association of Secondary Schools; Western Association of Schools and Colleges).

Furthermore, given the focus on global competitiveness, it is more appropriate to look at international accreditation agencies that can collaboratively and effectively provide feedback on how well our schools are growing toward offering international educational experiences. Agencies like the Council for International Schools or AdvancedED, among a host of others, offer international perspectives for growth. For all their good intentions, the RACs do not have the personnel, nor the resources to provide that type and level of support. We need a 21st century model built on growth to replace the current 19th century model built on monitoring. For example, the NJDOE could facilitate partnerships between schools in NJ that share similar demographics and challenges to share best practices that have been successful in areas identified for school improvement such as the dropout rate or specific achievement gaps. They could also facilitate partnerships with international schools to help create professional learning networks. The NJDOE would then be in a position to help facilitate customized and collaborative professional development between two or more districts, as opposed to applying the same set of standardized principles to all schools.

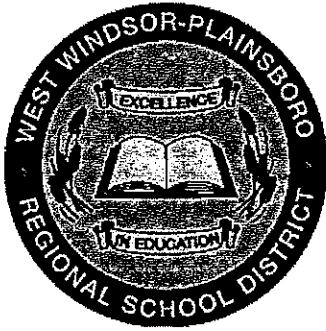
By reducing the amount of standardized assessments, and by restructuring the accountability systems, the NJDOE has an opportunity to decrease the cost of school improvement initiatives and increase the efficiency and effectiveness of public education in New Jersey.

Sincerely,



J. Kenyon Kummings, Superintendent

Attachments: CMCAA PARCC Resolution
NJASA Vision 2020



WEST WINDSOR-PLAINSBORO REGIONAL SCHOOL DISTRICT

321 Village Road East
West Windsor, New Jersey 08550
Phone: (609) 716-5000(x5040)
Fax: (609) 716-5022
E-mail: david.aderhold@ww-p.org

David M. Aderhold, EdD
Superintendent of Schools

Joint Committee on the Public Schools
41 West State Street
Suite 2F
P.O. Box 070
Trenton, New Jersey, 08625

May 14, 2019

RE: Testimony by David Aderhold, Ed.D

To the Members of the Joint Committee on the Public Schools,

I wanted to extend my thanks and appreciation to the Members of the Joint Committee on the Public Schools for the opportunity to discuss the efficacy, validity, and practicality of statewide standardized assessments generally, with emphasis upon their use as a graduation requirement.

Attached please find the following documents:

- A copy of testimony provided on May 14th
- A post from October 2018 that I wrote on Artificial Intelligence Scoring on the PARCC Assessments
- An NJ Spotlight Op-Ed written in March, 2019 entitled, "The Assessment Pendulum Must Swing."
- A Resolution of the Mercer County Administrators Association Concerning the Educational Impact of Changes in Graduation Requirements, Teacher and Principal Evaluations, and Student Teaching (EdTPA).

Sincerely,

Dave Aderhold, Ed.D.

Superintendent, West Windsor-Plainsboro Regional School District

Building upon our tradition of excellence, the mission of the West Windsor-Plainsboro Regional School District is to empower all learners to thoughtfully contribute to a diverse and changing world with confidence, strength of character and love of learning.

98x

**Testimony to the Joint Committee for
the Public Schools**

By

David Aderhold, Ed.D.

The Joint Committee is taking this opportunity to discuss the efficacy, validity, and practicality of statewide standardized assessments generally, with emphasis upon their use as a graduation requirement.

Good Morning. Let me offer my thanks and appreciation to the Members of the Joint Committee on the Public Schools for your invitation today to offer thoughts on the efficacy, validity, and practicality of statewide-standardized assessment, with particular interest in their use as a graduation requirement.

My name is David Aderhold, Superintendent of the West Windsor – Plainsboro Regional School District. Former Deputy Superintendent, Assistant Superintendent, high school principal, Assistant Principal, and classroom teacher. I currently serve as the President of the New Jersey Network of Superintendents and I am the President-Elect of the Garden State Coalition of Schools. I stand before you as the former principal of New Brunswick High School and the current superintendent of West Windsor – Plainsboro Regional School District. I am an adjunct professor at Rider University in the doctoral program where I teach courses in moral and ethical leadership, equity, and school finance. I sit on NJSBA Mental Health Task Force, SEL4NJ Task Force, NJASA Equity4All Task Force, the NJSIAA Cooperative Sports Task Force, and formerly served on the NJDOE Transgender Task Force. Most importantly, I am a father of five grades PK, 1, 7, 9, and 11. I say all this to share that I have a sustained and vested interest in the educational experiences for NJ's students.

What I believe becomes lost in conversations of standardized assessments, particularly for high stakes graduation requirements, is that we do not ask why. What is the purpose of assessment? How are we using the assessment results? What do the assessment results tell us?

Throughout my 17 years as a school or district administrator, it is the rare student that loses graduation due to a state graduation test. High stake graduation assessments have always had alternate pathways. What has prevented students from graduating is failure to earn established graduation credits and meet attendance requirements. By credits, I am referring to student's mastery of content, aligned to state standards. The curriculum is written to standards, administered by a teacher that is credentialed in accordance to state code, and hired by a Board of Education, which is sworn to uphold the state laws, guidelines, and guidance.

What is the purpose in administering a statewide standardized assessment? Is it the desire to hold individual students accountable to ensure fidelity in implementing the state's adopted curricular standards? Let's be honest, our current assessments are administered in order to review a system vs. an individualized student. If these assessments were meant to provide meaningful and impactful feedback on real time teaching and learning they would have to be designed differently.

Efficacy

Does the PARCC/NJSLA produce the desired results?

Does the time and cost of administering the NJSLA yield a meaningful impact for districts? Or students?

Has the utilization of the assessments influenced instructional practice?

Has the utilization of the tests as a component of teacher evaluation driven a desired impact?

Has the high stakes nature of testing yielded any meaningful change?

How much money have you thrown away chasing an assessment that does not seemingly benefit anyone but testing agencies and remediation providers?

For those in support of the implementation of standardized assessments, I believe we would agree that assessments are supposed to be diagnostic in nature to allow teachers and administrators the ability to determine students' individual strengths, weaknesses, knowledge, and skills. These assessments would allow us to provide for targeted academic remediation or acceleration.

However, there is a juxtaposition that exists between the federal and state testing mandate and the desire for diagnostic assessments. The conundrum exists due to the fact that our current tests were not designed as diagnostic assessments, they were designed as a compliance measure.

Validity

What is the validity based upon?

- State Rankings are meaningless with arbitrary factors being selected out of context that only serves to rank school districts and create unproductive community conversations.

- PARCC or NJSLA - It is equivalent to changing the design of a plane while flying and then holding the pilots and passengers accountable. Every year there is a different modification.
- Teacher growth scores?
 - o Student Growth Percentages are based upon cohorts groups based upon 100 stack columns.
- How about Artificial Intelligence scoring?
 - o Earlier this year I, along with Scott Rocco from Hamilton, raised concerns with validity of our PARCC scores, due to patterns in our Spring 2018 PARCC writing scale scores. We began to ask questions internally and with neighboring school districts. Thanks to the support from the NJDOE, numerous meetings were held and conversations occurred with Pearson. Pearson disclosed that they are scoring our student writing using an internet based tool called the Intelligent Essay Assessor (IEA). Officials from Pearson also acknowledged that 104,722 out of 850,966 students scored a 10 on the writing portion, on a scale score distribution of 10 – 60. It is plausible that the algorithm utilized to score student work impacted the scores at the lowest end of the scoring continuum.
 - o Has the validity of the AI scoring been verified to ensure that the scoring algorithm doesn't negatively impact students based upon Special Education, ELL, socio-economic status, race/ethnicity, gender, etc.?
- The use of Artificial Intelligence (AI) for the scoring of student writing on the PARCC and the lack of transparency of this process casts doubt on the overall assessment.

The Legislature must ask itself:

What are you paying for?

What is your expected outcome for this data?

How is the NJDOE ensuring validity of scores?

Has any meaningful change occurred as a result of using growth scores to the teacher evaluation model?

Practicality

How much time must we waste on results that take too long to impact instruction?

How much time must we waste to administer an assessment that does not produce data that impacts teaching and learning?

How much instructional time must we give up?

What is the residual impact to the school day?

What are the budgetary impacts?

Conclusion:

Members of the Joint Committee on the Public Schools, our educational system has evolved in the shadows of A Nation At Risk, in an era in which we have defined schools as failing and then administered tests to try to prove it. In my estimation, the only ones that have benefited are testing companies, remediation firms, tutoring companies, and textbook vendors. The promises of implementation, results, and impact have not been realized.

The proof...all of our conversations are around accountability systems and not individual student achievement.

- QSAC, Performance Reports, and teacher/principal Student Growth Percentiles

The opportunity to reset the purpose and utilization of assessment is upon us.

The legislature has the opportunity to provide greater flexibility of design and measure within the assessment model.

The federal government does not require that standardized assessments as a mandate for graduation, they simply require that assessments are given.

The legislature has the power to develop regulations that provide the NJ Department of Education tools to think differently about standardized assessments.

We can develop a system that is diagnostic in nature and that *does* provide feedback to educators and parents about their students in real-time that impacts learning *in the current year*.

Testing is a tool, not an end in itself. I urge the committee to stop the era of high stakes accountability on students. Move to a more productive conversation about using the assessment to measure the health of school districts. Use the assessment to serve as an annual "physical exam" for checking the relative "health" of the district's success in meeting its mission.

**Artificial Intelligence Scoring
Confirmed on N.J.'s High-Stakes
PARCC Assessment**

Artificial Intelligence Scoring Confirmed on N.J.'s High-Stakes PARCC Assessment

By Dr. David M. Aderhold

On Wednesday, October 2nd the NJ State Board of Education entered into a compromise agreement with Dr. Lamont Repollet, Commissioner of Education. The Commissioner is to be applauded for ensuring that graduation options are protected for high school students. Further, this compromise signals a first step on the pathway to next generation assessments. Under the leadership of Dr. Repollet, the New Jersey Department of Education has listened to feedback gathered at numerous stakeholder meetings throughout the state and delivered on practical changes that will serve to benefit the students and educators of New Jersey.

As we pause and acknowledge the compromise that was agreed upon, now is a critical time to discuss the validity of the assessments and the underlying assumptions utilized in the scoring of our students' tests. We must not forget that PARCC remains a high-stakes graduation requirement in New Jersey. In some districts, PARCC scores may determine students' academic programming, such as entrance into AP, honors, basic skills, and/or remedial coursework. These scores are also used as a component of a teacher's summative evaluation. Furthermore, PARCC scores determine school and district ratings, which may affect property values.

Now that the NJ State Board of Education has upheld the PARCC assessment as a component through which students can earn a high school diploma, we must ask fundamental questions about the validity of the PARCC assessment. Are we unwittingly preventing our NJ students from graduation? Do we trust in the assessment results that may be having a detrimental impact on student placement? Have the underlying assessment protocols created a fair system that is representative of all student capabilities? Have assumptions that drive the PARCC scoring been vetted against student results? Ultimately, who (or what) is scoring our assessments?

Until we have more knowledge and data about whom (or what) is scoring our assessments, as well as validation of the scores, educators and parents must ask questions about the validity of the PARCC assessment results. Recent public debate has centered on changes to high school graduation requirements and the amount of high stakes assessment that should be in our students' educational experience. Missing from our public conversation is a discussion about the underlying assessment protocols that were adopted by the NJDOE in 2015 under the transition to PARCC. Since 2015, several articles and organizations called into question the qualifications of the scorers for the PARCC assessment. Since that time, public discussion has focused more upon the frequency and duration of the assessment.

Now is the time to revisit the scoring practices implemented as those very practices may be negatively affecting our students, teachers, and administrators. Based upon patterns in the data and upon review of the model PARCC contract with Pearson, it is evident that our students' writing is being graded by machine learning/Artificial Intelligence (AI).

The contract between PARCC and NJ is not available online. Therefore, we can only review other public documents from participating PARCC states as a point of comparison. Upon review

of the Ohio PARCC contract, between the Department of Education in Ohio and Pearson for the administration of PARCC, on page 463 – 464, it states that, “Although the efficacy of scoring PARCC ELA/Literacy Prose Constructed Responses has yet to be demonstrated, based on our 15-year experience with automated scoring and our knowledge of the PARCC field test items and rubrics, we believe that automated scoring will be successful on these items and yield great cost savings and schedule benefits to the Partnership.”

On page 699 of 1004 within the Colorado PARCC Contract the scoring rules for PARCC assessments are found. “In Years three and four (2017 and 2018), all online ELA/L PCR’s will receive their first score from AI scoring with 10% scoring done by readers. The table below summarizes the human and automated scoring plan for online ELA/L responses.”

Colorado and Ohio PARCC Contract Scoring Rules (both include the below chart)

Year	% of ELA/L items	1st Score (100%)	2nd Score (10%)	Resolution
2015	100%	Human	Automated	Human
2016	67% 33%	Automated Human	Human Automated	Human Human
2017	100%	Automated	Human	Human

Evidence exists regarding the direction in which the NJDOE was heading on AI scoring. In an article on March 9, 2015, NJ.com reported, “New Jersey’s contract with PARCC calls for eventually transitioning to computer grading on most exams with only a small number of tests being graded by hand, including those being re-evaluated because the grade was challenged, according to the contract’s terms. The state will consider the option if the automated scoring proves to be accurate and cost effective.” The article continued by stating, “The benefit of computer grading is that scores can be returned to students and schools more quickly, it’s also less expensive.” The article concluded with quoting NJDOE official Jeff Hauger who offered, “We would not go full automated scoring without having **some information** for us to believe that actually it does just as good of a job as human scores.”

Having “some information” about the validity and reliability of PARCC scoring is not enough to make this transition. There is simply too much at stake for our students and staff. High School graduation is now tied to PARCC scores, PARCC is used for placement in honors and AP classes, and placement into basic skills and remedial programs are also identified by testing data. Furthermore, teachers and administrators’ evaluations are impacted by student growth on PARCC test results. Simply, the assessment is too high-stakes to get wrong. In PARCC’s 2017 Technical Analysis Report (representing all participating PARCC states) on page 214, it states, “Writing scale score distributions were **noticeably less smooth** than Reading or ELA/L full summative distributions due to peaks related to the weighting of the Written Expression portion

of the PCR (Prose Constructed Response) tasks. The proportion of students earning the lowest obtainable scale score was fairly high for Writing.”

PARCC

2017 Technical Report

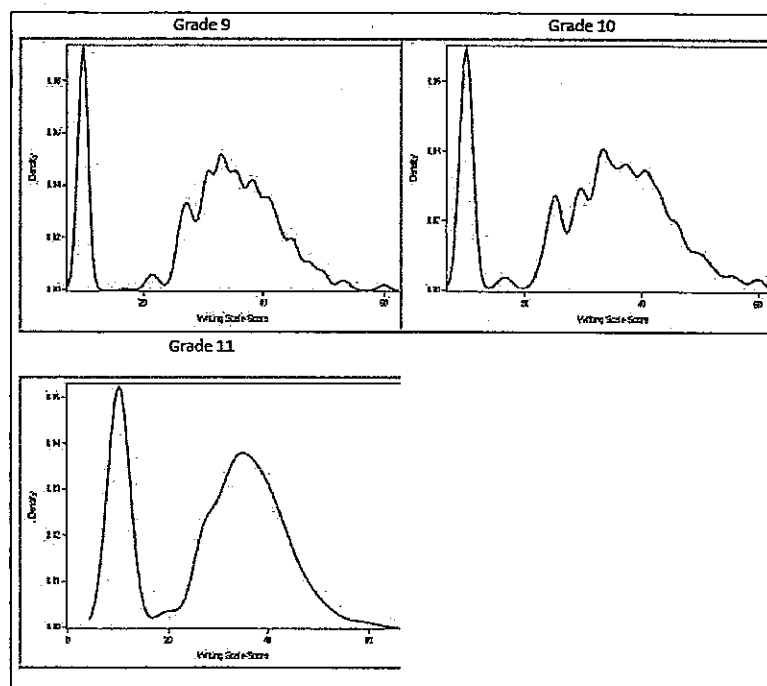


Figure 12.4 (continued) Distributions of Writing Scale Scores: Grades 3–11

Concerns Emerged in the Data

Due to patterns in our writing scale scores, we began to ask questions internally and with neighboring school districts. As those concerns were replicated in other districts, questions were raised to NJDOE Officials on Tuesday, October 1st. The Department moved quickly and arranged a conference call with representatives from Pearson to review our concerns. Within that call it was specifically disclosed that Pearson is scoring our student writing using an internet based tool called the Intelligent Essay Assessor (IEA). While representatives of Pearson could not verify the percentage of students scored in NJ via the IEA they clearly acknowledged the use of Artificial Intelligence (AI) scoring of students on the PARCC. Officials from Pearson also acknowledged that 104,722 out of 850,966 students scored a 10 on the writing portion, on a scale score distribution of 10 – 60. It is plausible that the algorithm utilized to score student work impacted the scores at the lowest end of the scoring continuum. If there are concerns with scores at one level, what does that say for the reliability for scores at all levels?

The use of Artificial Intelligence (AI) for the scoring of student writing on the PARCC and the lack of transparency of this process casts doubt on the overall assessment. The results must call into question the underlying decisions made and assumptions utilized in 2015 about what constitutes good writing. Those assumptions would have been entered into an algorithm that is now being seen in the score results of today. Numerous articles cast doubts on the nuances of AI

scoring for essay writings including recent articles in Forbes and NPR. Proponents will state that it is faster, more reliable than human scoring, and more cost effective. There is a place for the greater conversation about AI and standardized scoring. However, what should never be lost in this conversation is that students are impacted by the decisions that have been made. Educators and parents must call for transparency in our results and ask questions about the process that has been put in place. If our students are to be subjected to standardized assessment protocols, the very least they deserve is for transparency in their score.

West Windsor – Plainsboro Regional School District

Chart #1 – West Windsor – Plainsboro Regional School District Writing Scale Score

The below chart identifies all students in WWP that took the Writing Scale Score between 2015 – 2018. It is important to notice the “W” formation in the distribution of the data. The assessment range is 10 – 60. The particular question surrounds the number of students that received a 10 on the writing score. Within the assessment results, we would have anticipated a normal distribution skewed right toward the higher end of achievement.

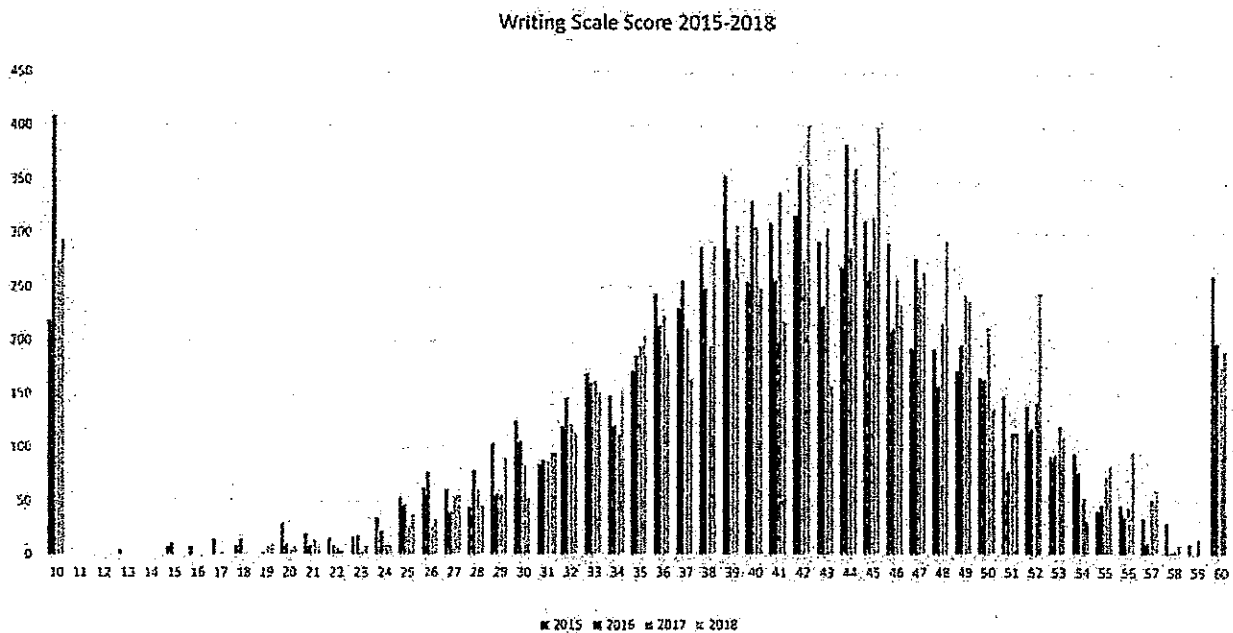


Chart 2 – WWPRSD # of students by scale score on Writing Prompt

The below chart depicts the total number of students by scale score on the Writing Prompt. Students in the far left column represents 294 students earning between 10 – 12. As we test grades 3-11, 294 (4.72%) represents approximately 30 – 40 students per grade.

2018

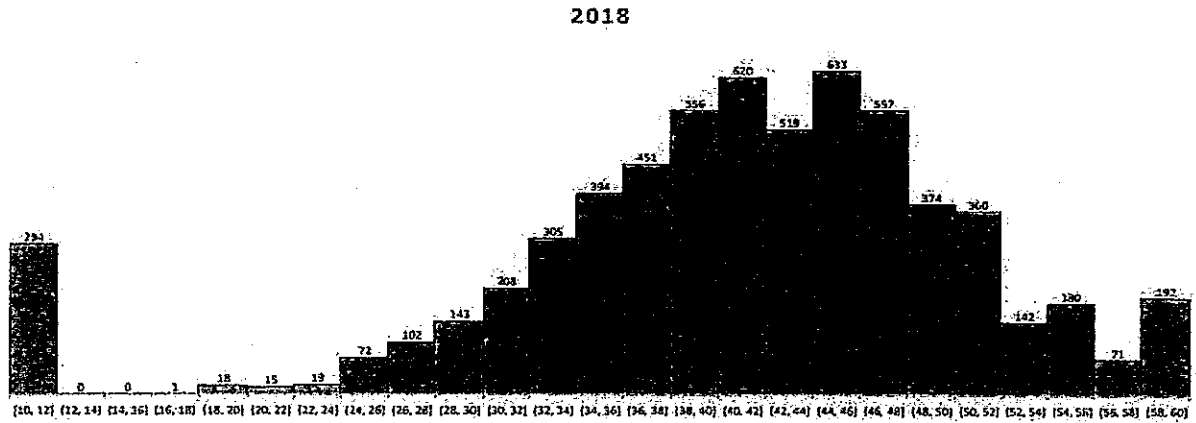
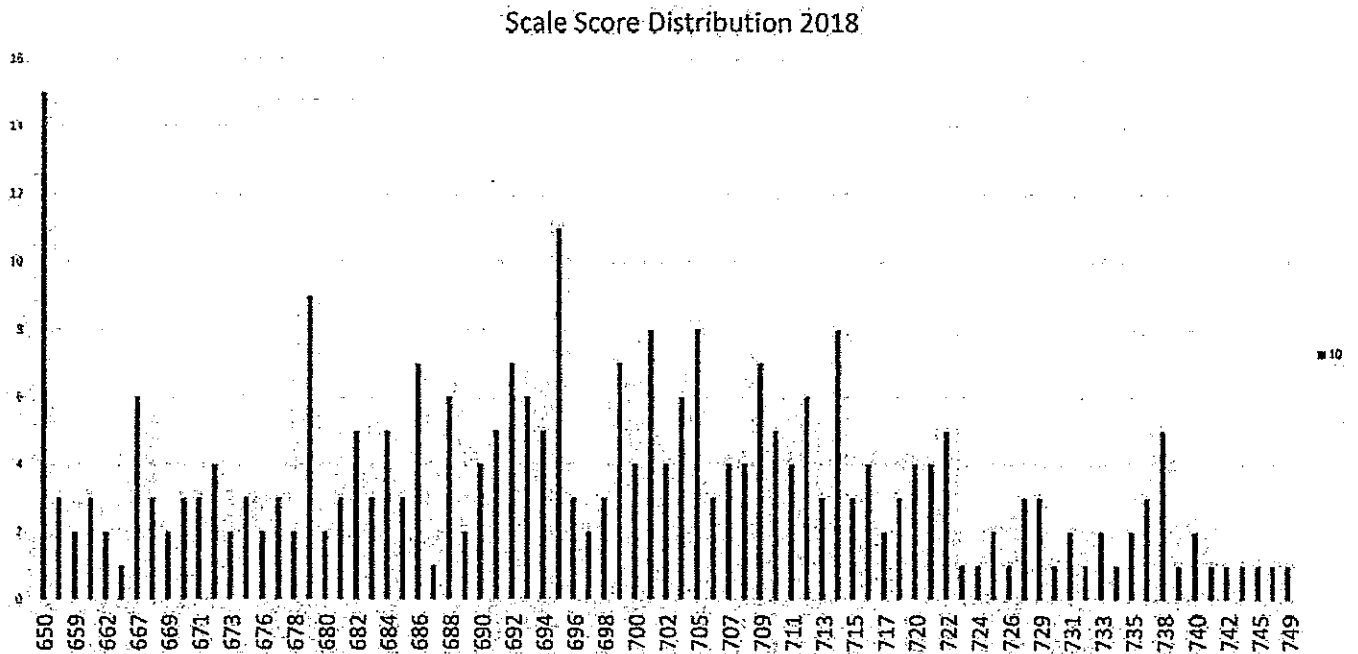


Chart #3 – Students Overall Score on ELA that received a 10 on Writing Subscore

This chart disaggregates students that earned between a 10 – 12 and then reviews the scale score distribution. Approximately 2/3rds of students earned a score of 690 or above.



Questions for the NJDOE and State Board of Education to Consider

1. Is there anywhere on the NJDOE website that specifically notifies parents, educators, and students that AI scoring is taking place?
2. What have we learned about the PARCC scores since 2015? In particular, what have we learned about AI scoring on writing and math open-ended prompts?
3. What percentage of writing prompts are being scored by AI?
4. What percentage of writing prompts do human scorers read? Also, what happens if there is a discrepancy in scores?
5. How is the NJDOE ensuring validity of scores?
6. Does AI also score components of the mathematics test, specifically the open response questions?
7. If the mathematics open-ended score is embedded into the raw score by section, how can we view the data to ensure that students' thinking is being assessed fairly?
8. Has the NJDOE examined the sub scores within writing that PARCC states is "noticeably less smooth?"
9. Has the NJDOE examined the assumptions within the PARCC algorithms?
10. Will educators be provided an opportunity to learn more about AI scoring and how that scoring affects student assessment outcomes?

Conclusion

What becomes lost in conversations of standardized assessments is the why. Why do we assess? What is the purpose of assessment? How are we using the assessment results? The discussion around how we are using assessment results leads to questions surrounding equity, access, and fundamental fairness. Simply, we have a responsibility to our students and staff to ensure that the standards that we are measuring them upon are being assessed fairly, and that the results are valid. We must question the data of PARCC, ask questions about the specific student results, and ensure that our students' capabilities are being fully represented in the assessment results. There is too much at stake for students and it would be irresponsible for us not to engage in these conversations around the validity of the score and the transparency of the process.

David Aderhold, Ed. D.

Superintendent of Schools

West Windsor – Plainsboro Regional School District

N.J. Spotlight
March 2019
“The Assessment Pendulum
Must Swing”

The Assessment Pendulum Must Swing

In an era of accountability, the roll out of the PARCC assessment has gone noticeably less smooth than any student assessment in recent memory. The promises of implementation, results, and impact have not been realized. During the PARCC era, there has been a widespread backlash to standardized assessments which diminished its meaning and impact. In response to the lengthened testing time and the opt out movement, numerous changes were hastily implemented to the PARCC to appease the masses. One such change was the modification that students had to take the Algebra II and English 11 assessment but no longer had to pass the assessment. An unintended consequence of this change was a violation of the New Jersey Administrative Code.

On December 31, 2018, the state Superior Appellate Court issued a ruling that invalidated the utilization of PARCC as a graduation assessment. The court determined that those assessments failed to meet the statutory regulatory requirements of an 11th grade assessment. The defunct guidelines that all school districts have followed from the NJ State Board of Education and the NJ Department of Education provided that students must have a passing score on the PARCC English Language 10 (ELA) and Algebra 1 assessments. Graduation could also be attained with a passing score on an alternate assessment like the SAT or ACT, or submitting a portfolio appeal through the New Jersey Department of Education.

School administrators, parents, and students were mired in confusion and concern for our students while we waited for the political process to play out. After weeks of political wrangling, which included proposed “stop-gap” measures, legislative proposals to alter the statutory guidelines, requests for reconsideration, and legal briefs, it has been announced that a deal has been struck to avert a crisis of graduation. On Friday, February 15th school districts learned that the deal averts a graduation crisis for over 150,000 seniors and juniors as it allows the current graduation requirements to stand for the graduating classes of 2019 and 2020. However, for current sophomores (Class of 2021) and all grades that follow, the New Jersey Department of Education must work to recommend new graduation criteria.

We pause to celebrate the deal struck between the Education Law Center, et. al and the New Jersey Department of Education for the current Classes of 2019 and 2020. Credit goes to our Commissioner of Education, Dr. Lamont Repollet and his team and the Education Law Center for finding a path to compromise. But it must be remembered that a prior Governor, a prior NJ State Board of Education, and a prior Commissioner of Education created and approved the guidelines for graduation that were being challenged. The real crisis is far from over.

The real crisis is complex and political. It is grounded in best intentions as testing holds different value and meaning based upon your perspective. For some, testing is about measurement and compliance. This is evidenced in our accountability system (QSAC), our evaluation system for teachers and principals (Student Growth Percentiles), evaluation of school districts (Performance Reports), and ultimately the issuance of a diploma for our students. For others, assessments are supposed to be diagnostic in nature that allows teachers and administrators the ability to determine students’ individual strengths, weaknesses, knowledge, and skills. In theory, supports would be targeted based upon the assessment results and provide for academic remediation and/or an acceleration plan. In this use, it would be used as a diagnostic tool. So as we move forward at this crucial time, will the next generation of student assessments be a tool for learning or a compliance measure?

A stark reality remains, no currently utilized standardized assessment meets all perspectives. The federal requirement to test is mandated under the Every Student Succeeds Act (ESSA). Its intention is to measure progress, ensure that all students are able to graduate high school ready for college or career and to ensure educational equity and excellence for all students. The federal requirement maintains that all

states administer statewide assessments in reading/language arts and mathematics in grades 3 – 8 and once in high school. However, unlike New Jersey, many States have chosen not to require a graduation test. Furthermore, states must provide a science assessment once per grade span. In N.J., the assessment requirements are defined under N.J. Administrative Code 6A:8.

There is a fundamental disconnect between the purpose of the assessment and the desired hope for the assessment. A juxtaposition exists between the federal and state testing mandate and the desire for diagnostic assessments. The conundrum exists due to the fact that our current tests were not designed as diagnostic assessments, they were designed as a compliance measure. Under the Every Student Succeeds Act, the New Jersey Department of Education has a responsibility to administer an assessment. The federal requirements mandate that school districts maintain a 95% participation rate. Furthermore, the assessment is used as a measure and report of school performance. The ESSA requires that student growth is tracked through standardized measures. Poorly designed tests may comply with mandates, but won't help our students grow.

A Glimmer of Hope

New Jersey has a tremendous opportunity to revise the assessment program. In a positive step, Commissioner Repollet has convened six statewide assessment committees that representative of over 300 educators. The NJDOE has been asking the professionals for their feedback and input. The conversations have been important and the request for input has been appreciated by the participants. The challenge for this committee is that we have been boxed into the current regulations established by the legislature and the regulatory guidance approved by the NJ State Board of Education. Our options for improved assessment are stymied by outdated regulations.

On February 22nd, Commissioner Repollet informed New Jersey school districts that the NJDOE has received the approved consent order from the New Jersey Superior Court, Appellate Division. This order memorialized the agreement between the NJDOE and the Education Law Center. The Commissioner has clearly stated that he will continue to work with the NJ State Board of Education, "through the regulatory process," to address the Appellate Divisions December 31, 2018 court decision regarding the impact to the Class of 2021 and beyond. Under the legal settlement between the ELC and the NJDOE there is no guidance for the Class of 2021 and beyond; however, there is a significant political discussion on assessment reform, so it is important that we make our voices heard.

On February 21, the New Jersey Senate voted 22-7 with 11 abstentions to approve S3381. This bill revises provisions of law concerning graduation proficiency tests and eliminates the requirement that a test be administered in eleventh grade. New Jersey Assembly has an identical bill, A4957 pending in the Assembly Education Committee. However, on February 25th, the committee tabled the bill for further review. Ultimately, if approved, the elimination of an eleventh-grade test would be sent to the Governor for his signature. This bill cuts both ways, on the one hand, it opens up the possibilities for the statewide education committee, which is under the direction of the Commissioner of Education and the New Jersey Department of Education to think different and reconceptualize high school assessment. However, the bill still mandates a high stake graduation assessment. This may simply be one step in assessment reform but it by no means provides the freedom to develop assessments that will truly drive instruction and impact student learning. Without critical changes to legislation, any such recommendation for standardized assessment in NJ will result in a similar assessment experience that occurred prior to PARCC (a mandatory, compliance assessment that is administered for graduation).

Politics Influence Education Policy.

Our lawmakers are charged with ensuring that students meet the State and Federal mandates, but their responsibility ends there. The legislature must allow the Commissioner of Education and the Department of Education to establish rules and regulations absent the interference of political agendas. The current system is flawed at best in that the assessments are not designed for this purpose of measuring educators impact on student progress. We can look no further than teacher and principal evaluations to see the targeted utilization of student standardized scores as a “quality control check” on educators. The test designers work to measure student knowledge and growth to curriculum standards. The scoring methodology is intended to give feedback on individual students and their knowledge of the standards learned.

Due to political agendas, we now function under a set of poorly understood and constructed student growth metrics. What’s lost in these complex formulas is the simple fact that the instruction students receive in one classroom, one building, and one district cannot possibly be measured in this way. Standardized assessment should never define our students’ or our teachers’ ability or capabilities. They are one data point. Anyone who tells you different has a no understanding of the current assessment model or they have a political agenda.

An Opportunity to Change

The opportunity to reset the purpose and utilization of assessment is upon us. The legislature has the opportunity to provide greater flexibility of design and measure within the assessment model. The federal government does not require that standardized assessments as a mandate for graduation. The federal requirement simply requires that assessments are given. The legislature has the power to develop regulations that provide the NJ Department of Education tools to think differently about standardized assessments. We can develop a system that is diagnostic in nature and that *does* provide feedback to educators and parents about their students in real-time that has a meaningful benefit *in the current year*. To do this, assessment must be reconceptualized.

We all have a stake in the decisions that will be made on the next generation of assessments the Class of 2021, and all those that come after, will be required to take, but time is limited and decisions will be made quickly. This decision is all the more pressing with the PARCC contract (now NJSLA) expiring after 2020 and the fact that a new test design and procurement process is time-consuming and lengthy. We implore the legislature to allow the Commissioner of Education and the Department of Education to establish rules and regulations absent the interference of political agendas so we can work together to have an assessment in place that works for all of us. If we are truly interested in preparing our students for productive lives after graduation, to participate in a global economy, to be lifelong learners, to live with passion, we must abandon the political agendas and seize this opportunity to develop an assessment that does what we all need.

New Jersey’s next student assessment must be a tool that guides student growth, holds meaning and purpose for our students (especially our high school test takers), and provides value. Any measure that is simply designed to ensure federal compliance is nothing more than an act of futility. If we are going to have a system of standardized assessment, build it so it’s a meaningful diagnostic tool and not a box we collectively check for compliance.

David Aderhold, Ed.D., Superintendent of West Windsor-Plainsboro Regional School District

Scott Rocco, Ed.D., Superintendent of Hamilton Township School District

Thomas Smith, Ed.D., Superintendent of Hopewell Valley Regional School District

**Resolution of the Mercer County
Administrators Association Concerning
The Educational Impact Of Changes In
Graduation Requirements Teacher And
Principal Evaluations, And Student
Teaching**

RESOLUTION OF THE MERCER COUNTY ADMINISTRATORS ASSOCIATION CONCERNING THE
EDUCATIONAL IMPACT OF CHANGES IN GRADUATION REQUIREMENTS, TEACHER AND
PRINCIPAL EVALUATIONS, AND STUDENT TEACHING

WHEREAS, the members of the Mercer County Administrators Association fully support educational policies and practices designed to provide results that promote and improve student achievement, college and career readiness, and best teaching practices, and

WHEREAS, we are deeply concerned with the high stakes and ongoing costs associated PARCC testing as well as with the recent changes in the requirements for teacher and principal evaluations, high school graduation, and student teaching; and

WHEREAS, on August 31, 2016, at a time when our teachers, parents and students were eagerly preparing for an exciting start to the new school year, the Department of Education announced that students' PARCC test scores will have triple the weight in teachers' and principals' annual evaluations; and

WHEREAS, the seemingly inconsistent guidance provided by the NJDOE officials to CSAs continues to disrupt the educational environment of school districts by providing inaccurate and/or incomplete information regarding the diagnostic value of the assessment and the most recent untimely August 31, 2016 NJDOE Broadcast announcing the change in mSGP percentages for teachers and principal evaluation; and

WHEREAS, this state-level decision is contrary to the newly-enacted federal Every Student Succeeds Act – the federal law replacing the old NCLB legal framework – which expressly backed away from the NCLB's elevation of annual standardized testing, and which encouraged states to adopt more flexible measures of student achievement and schools' success; and

WHEREAS, based upon the August 3, 2016 NJ School Board of Education's decision, beginning with the class of 2020 all students must sit and take all sections of the PARCC; and

WHEREAS, beginning with the class of 2021, NJDOE has required all students to pass the PARCC English Language Arts (ELA) 10 and Algebra I assessments as well as take all end-of-course PARCC assessments for which they are eligible (Algebra I, Geometry, Algebra II, ELA 9, ELA 10, ELA 11); and

WHEREAS, the use of alternative assessments will be eliminated for the Class of 2021 despite the fact that the current state passing rates on the PARCC Algebra I and ELA 10 assessments are 37 percent and 36 percent, respectively; and

WHEREAS, NJDOE has eliminated all other testing options besides PARCC as ways to satisfy state graduation requirements; and

WHEREAS, NJDOE has eliminated the Alternative High School Assessment, previously used to satisfy state standards by thousands of students unable to pass the HSPA; and

WHEREAS, according to information compiled by the New Jersey Department of Education (NJDOE) based upon a settlement agreement reached with the Education Law Center and the NJDOE to resolve a lawsuit over new high school graduation policies, a preliminary analysis demonstrated more than 10,000 seniors in 2015 – 2016 used the "portfolio review" process to satisfy the state assessment requirement for graduation; and

WHEREAS, the substitution of the new PARCC exams for the State's previous graduation tests – the High School Proficiency Assessment (HSPA) and the Alternative High School Assessment (AHSA) – has dramatically increased the number of students using portfolios to earn a diploma. (The number of portfolios submitted by districts for 2016 was more than six times that of previous years, and more than half the senior class of 2015 – 2016, over 50,000 students – did not take or did not pass PARCC.); and

WHEREAS, more than fifty-six districts submitted more than 100 portfolios; one hundred submitted more than 50; and nearly one hundred fifty districts submitted 10 or more; and

WHEREAS, all of NJDOE's designated substitute assessments are English-only tests that do not provide appropriate accommodations for English Language Learner students; and

WHEREAS, the August 3rd NJ School Board of Education's officially adopted edTPA, which is an assessment created by Stanford University faculty and staff at the Stanford Center for Assessment, Learning, and Equity (SCALE); and

WHEREAS, the New Jersey Department of Education has awarded the implementation of edTPA to a third party provider; and

WHEREAS, this new assessment requires student teachers to submit video recordings of their classrooms to this third party provider for evaluation in order to obtain certification;

It is, therefore, the position of the Mercer County Administrators Association that the NJ Department of Education and the New Jersey State Board of Education's new graduation requirements do not align to our shared values, and we stand together in opposition of these changes that are detrimental to our students, teachers, administrators and school communities.

Further, it is the position of the Mercer County Administrators Association that the requirement and submission of videotaping of our respective district's students by student teachers under the provisions of edTPA with the subsequent scoring by a third party provider may not be allowed within our district's.

Further, that videotaping student teachers for the very purpose of licensure of a student teacher, without the benefit of the context of the classroom environment, student demographics and school culture does not align to our shared values.

NOW, BE IT RESOLVED that the Mercer County Administrators Association hereby:

(a) Urges the NJ State Board of Education to immediately withdraw its newly passed graduation requirements and revisit the matter only after there is a greater understanding of the newly passed Every Student Succeeds Act; and

(b) Urges NJDOE to implement the recommendation of the Governor's College and Career Ready Task Force, including a multi-year transition to a new assessment system that does not establish a minimum passing score as a graduation requirement on the new PARCC assessments; and

(c) Urges the New Jersey Legislature and the State Board of Education to immediately revisit changes made to student teaching requirements; and

(d) Urges the NJDOE to conduct a top down review of the entire premise of state mandated standardized school exit exams; as well as the entire premise of high stakes standardized assessments in grades 3 – 12, with focus on value, validity, cost, and disruption by said assessments to the instructional environment of schools; and

(e) Urges that New Jersey continues to provide multiple pathways to a high school diploma that include alternatives not based on standardized tests; and

(f) Urges that the New Jersey Legislature review/hold hearings on the impact of the NJ State Board of Education's graduation requirements; and

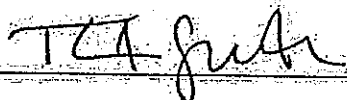
(g) States without hesitation, that in Mercer County we want meaningful learning in student-centered classrooms, taught by educators who are supported to pursue innovative best practices. We care deeply about student learning, growth, progress, and achievement. We constantly strive to improve programs and enhance educators'

effectiveness. If tying teachers' evaluations to any standardized test results made for stronger schools and more dynamic classrooms, then we would fully support doing so. But using standardized test scores to evaluate – and in many cases, unfairly punish - teachers does not help students or improve teachers or strengthen principals and assistant principals, or strengthen schools. It has never been shown to be sound educational policy.

RESOLVED, that this resolution be certified and submitted to our State Representatives, the New Jersey Association of School Administrators, the New Jersey School Boards Association, the New Jersey Principals and Supervisor Association, the New Jersey Education Association, local municipal leaders, the board secretaries of each school district in the county, the County Office of Education, and the Office of the Commissioner of Education.

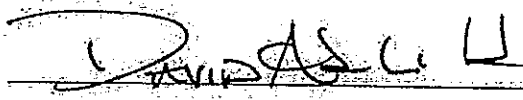
CERTIFICATION

I, Thomas Smith, President of the Mercer County Administrators Association, in the County of Mercer, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mercer County Administrators Association at a meeting held on the 4th day of November, 2016.



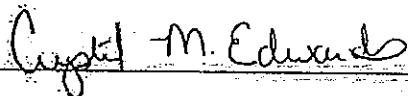
Thomas Smith, President

Superintendent of Hopewell Valley

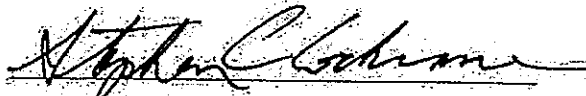


David M. Aderhold, Treasurer

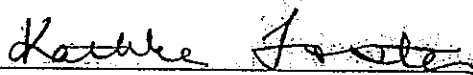
Superintendent of West Windsor - Plainsboro



Crystal Edwards, Superintendent of Lawrence



Steve Cochrane, Superintendent of Princeton



Kathleen Foster, Acting Superintendent Robbinsville



Lucy Fera, Interim Superintendent of Trenton



Richard Katz, Superintendent of East Windsor



Michael Nitti, Superintendent of Ewing



Kimberly Schneider, Superintendent Mercer County Special Services School District and Mercer County Technical Schools



Julie Borst
julieborst@saveourschoolsnj.org

14 May 2019

Joint Committee on the Public Schools

Save Our Schools NJ is a grassroots, all-volunteer organization of parents and other public education supporters who believe that every child in New Jersey should have access to a high-quality public education. Our 34,000 members reside in every legislative district in our state and are economically, racially, ethnically, and ideologically diverse.

Over the last five years, we have written over 60,000 letters, turned in over 10,000 signatures on a petition, and have shown up to provide testimony on the subject of assessment, and in particular, PARCC assessments, to both Education Committees in the State House, to the State Board of Education, and to Commissions created by the State Board to obtain stakeholder input on assessments. In those years, our position has not wavered.

New Jersey is one of only eight states that forces high school students to take multiple standardized tests instead of the two required by federal law. This additional testing reduces time available for teaching and provides no additional information regarding student performance. Any school district or charter school that wants additional information about their students can use one of the many standardized assessments available to collect that data without forcing every other public school in our state to do so and the taxpayers of New Jersey to pay for it.

New Jersey is one of only twelve states that still impose high school exit tests on their students. Those twelve states include Florida, Louisiana, and Mississippi, which have some of the worst performing public schools in the country. Twenty four states never adopted exit testing at all and fourteen other states have dropped it because of its destructive consequences.

Over the last 40 years since this statute came to be, multiple studies have documented that exit testing produces no educational benefits; increases high school dropout rates; and feeds the school-to-prison pipeline. Exit tests are particularly damaging for low income students, students of color, English Language Learners, and students with disabilities.

For more than five years, New Jersey high school students, parents, and families have been dealing with a hopelessly confusing set of graduation testing regulations imposed by the Christie Administration. The rules have changed every year, required multiple new layers of standardized testing, and put the graduation plans of thousands of students in jeopardy.



Julie Borst
julieborst@saveourschoolsnj.org

Parents have been in opposition to the use of PARCC, now NJSLA, and the high stakes attached to these tests since its first run in the 2014-15 school year.

We all want "accountability" and we do not dispute that. Asking for valid and reliable tests that are not used punitively is not "anti-testing." We want accountability to include understanding the effects of this statute over the last 40 years – how many lives have been negatively impacted by not having a high school diploma, the effects of drastically underfunding our schools, and understanding that schools – that is, teachers and administrators, can do only so much with so little. Tests do not create equitable schools. Funding, economic development, public policy aimed at eradicating poverty, ending discriminatory housing practices, and so on move us toward equity.

We do not support a punitive system which serves no purpose other than to rank and sort our children, their teachers and administrators, and their schools. We know that the wealth of a child's family has too great an influence on testing outcomes to be of value. Test scores have been weaponized and negatively shaped what our schools look like today. This must end.

It is instructive to review what assessment is required for federal accountability purposes and what the State does. As you can see, depending on when and what a student takes in high school, it can result in two extra math tests and two extra English language arts (ELA) tests. Every Student Succeeds Act (ESSA) has specific assessment requirements with which every state must comply:

1. ELA and math
 - a. Every year in grades 3-8
 - b. Once in high school (the grade is at the discretion of the state)
2. Science
 - a. Once in elementary, middle, and high school (the grade is at the discretion of the state)

The State of New Jersey looks like this:

1. ELA and math
 - a. Every year in grades 3-8
 - b. ELA in grades 9-11
 - c. Math in grades 9-11, depending on which math the student took, Algebra 1, Algebra 2, and Geometry.



Julie Borst
julieborst@saveourschoolsnj.org

2. Science
 - a. Once in elementary, middle and high school

The State's graduation requirements, up until December 31, 2018, when the Appellate Court struck down the high exit test regulations looked like this:

1. For Classes up to and including 2019, a menu of choices without the need to sit for any of the PARCC tests
 - a. PARCC ELA 9, 10, or 11
 - b. PARCC Algebra 1, Algebra 2, or Geometry
 - c. OR, a passing score on
 - i. PSAT
 - ii. SAT
 - iii. ACT
 - iv. ASVAB
 - v. Accuplacer
 - vi. Portfolio review
2. For Class of 2020, the menu choices available to 2019, BUT the student had to take (and fail) every PARCC test they were eligible for – potentially six test – ELA 9, 10, 11, and Algebra 1, 2, and Geometry before accessing the rest of the menu.
3. For Classes of 2021 and beyond
 - a. PARCC ELA 10
 - b. PARCC Algebra 1
 - c. Portfolio, but only after taking and failing the PARCC tests and re-takes.

Now that the Court has struck down the high school graduation regulations, and there is a Consent Order in place, Classes of 2019 and 2020 are graduating by the 2019 rules. All other classes are now waiting for the State to figure out how they will graduate.

Save Our Schools NJ calls on New Jersey end its 40-year high school exit testing statute. Exit testing is not a federal requirement. There are far more equitable accountability assessments that can be put in place. New Jersey would still have to meet the federal assessment requirements, rendering the argument that not having an exit test it detrimental moot.

ESSA requires that assessments "be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student's grade level." This does not mean it has to be a standardized test as we know it. This is especially important for students with disabilities who have been deeply marginalized by education that is so focused on standardization. Even guidance from NJDOE for these students is barely more than a line or two.



Julie Borst
julieborst@saveourschoolsnj.org

New Jersey should explore participation in ESSA's "Innovation Pilot" which allows states to develop alternative assessment models, including more authentic and performance-based assessments. To this end, we have been working with NJDOE to go on site visits to NYC and to New Hampshire with NJEA. Below is a link to the NY Performance Standards Consortium schools so Committee members can see how this works.

Links for further reading:

See *Redefining Assessment: data report on the New York Performance Standards Consortium*
<https://drive.google.com/file/d/1VEb5XiDStR7nzFZxLc6WMMMywOMAnCnSq/view>

The Case Against Exit Exams <https://www.newamerica.org/education-policy/policy-papers/the-case-against-exit-exams/>

Sample of comments from parents and teachers to SOSNJ Facebook page and messages:

"In my meeting I was told that there are repercussions for the district if students refuse the test. That is it harmful for the district and that is why they were investigating my posts on FB. I respectfully disagreed as did my president. We both told them we know that's not true. As for my own children. The implications of testing have gone far beyond me being worried about HS graduation. They have all but taken free play out of kindergarten and abandoned character education. We are seeing an increase in aggressive behavior because students are no longer learning how to relate to each other. Our middle school schedule is 100% dictated by test scores with no regard to what is developmentally appropriate for middle school students. Science and social studies instruction has been cut in half in the name of ELA and Math test scores. This is all a result of these tests. We are robbing our children of a well-rounded education. My own children are not at the HS level yet. But this year in the middle school my daughter and other students who refused to test were made to sit in the auditorium with nothing to do. And were yelled at by adults saying "if you don't like it in here you should have taken the test" it was a nightmare. This is in Ewing Township."



Julie Borst
julieborst@saveourschoolsnj.org

"My daughter is a sophomore. She has never taken park and as of right now, we have no idea if she'll walk at graduation.

In middle school she was lied to her face in front of the entire student body by the principle. They were told they could not refuse the test. My daughter stood up and said that's not true and she was told to sit down and that the rules had changed. Needless to say, my daughter did refuse and there were no repercussions.

So far, in high school, there has been no penalty or issues with refusal, except for the requisite phone call from the school making sure we understand how important it is and that it affects her graduation. I got laughed at last year when I said it was going away! She HAS every year had to bring a book (no kindle) to read as that was all she was allowed to do and had to stay in the testing room."

"My children have never taken it. In Lacey, I was told when my son was in 8th grade, in the hall, (because I am also a teacher) that now my son couldn't graduate. Then was asked, so what are you going to do now?" I replied with, switch schools. In private school it is not a requirement. I was laughed at. My kids have had to sit and stare. On the teacher end, we lose library time, special services, and chunks of instructional time. I use personal days every year to testify to the state board of education. Our district gives the NWEA which gives immediate scores and tells you weak areas. I always question why this tool is not enough, it is the most useful."

"Allamuchy. We are told kids can't use library or computers during this time. They lose a week of learning and spend weeks before hand in practice tests and being taught to the test. My son has testing this week and we have opted him out. He has spent the week sitting in a chair in the main office, with no desk or table, falling asleep. I have asked that he be able to do homework and was told the only thing he is allowed to do is read.

Last year I allowed my children to test and the scores were used against my other son for gifted and talented, disqualifying him, even though there were other kids accepted who hadn't even taken PARCC testing.

[Teacher] used it against [Son #2]. She claimed it was part of other criteria but [Son #2] was highly recommended several times and does exceptionally well on everything else. They claim



Julie Borst

julieborst@saveourschoolsnj.org

they don't make a difference but apparently it depends on who is using them and being that he is incapable of thinking outside a box, she used them to his disadvantage. Which is a whole different story. Last year was the first year I let them take them. I won't again. Except that now [Son #1] is sleeping in a chair in the office and I've been waiting all day to hear from [principal]."

"My son is in Passaic County district and a junior in Hawthorne High School now. Over the past 3 years the testing has caused disruptions in his learning, frustration and anger at being taken away from classes that are important in helping him learn. He is high functioning but on the autistic spectrum with ADHD, and dyslexia. The testing takes valuable time away from his classes and instead of focusing on his learning needs, it puts him in a position of frustration and futility because he cannot understand the testing questions so he just guesses. Resources are also not available to him during the testing all the computer are used for testing so he is unable to do his normal work or go to the library or use the Marker Room which is in the library. In elementary school we were refusing the testing and he was put in a room with worksheets to do for the entire time. Now he is being forced to take these test and fail or else he will not be able to do the Portfolio option to graduate. It's basically blackmailing us to take the test. IT'S NOT RIGHT! IT'S NOT FAIR! AND IT'S UNCONSTITUTIONAL! Sometimes it feels like politicians can just do whatever they want and totally disregard, the voices of parents over this mater of testing their own kids. We should have the right to direct our kids' education and refuse testing that is obviously not appropriate for their own child. It's disgraceful."

An email (3) exchange between a Montclair parent after her 8th grade daughter refused the Algebra 1 test.

Date: Wednesday, May 8, 2019 at 3:24 PM

Subject: Please Do Not Instruct Staff To Give My Child Incorrect Legal Advice

Dear Ms. Goforth:

I was wondering when and where you obtained your law degree given that you instructed Ms. Pierce to convey incorrect legal advice to my child regarding whether NJSLA Algebra I is a graduation requirement for the class of 2023. It is not. I, by the way, earned my J.D. from Rutgers University School of Law in 2005 with High Honors and practiced law in this state for a dozen years.

Please see the linked New Jersey Appellate Division opinion dated December 31, 2018.



Julie Borst
julieborst@saveourschoolsnj.org

https://www.aclu-nj.org/files/4015/4627/9169/2018_12_13_parcc.pdf

The December 31, 2018 Appellate Division opinion invalidated the use of PARCC/NJSLA as the state graduation tests because the regulations setting PARCC/NJSLA as the state graduation requirement are directly contrary to their enabling statute, N.J.S.A. 18A:7C-1 et seq. This is because PARCC/NJSLA Algebra I is (a) a separate test, which is contrary to N.J.S.A. 18A:7C-1 (requiring one test that measures reading, writing, and computational skills) and (b) is not administered in 11th grade, which is contrary to N.J.S.A. 18A:7C-6 ("In the school year which begins in September 1993, and annually thereafter, the State graduation proficiency test shall be administered to all 11th grade pupils"). As NJSLA Algebra I does not measure reading and writing skills, and as my 8th grade child is clearly not in 11th grade, under current state law, the NJSLA Algebra I test is not and cannot be a graduation requirement for her.

The consent order governing the classes of 2019 and 2020 does not change this result. See attached. Instead, the consent order simply puts off implementation of the December 31, 2018 opinion until the class of 2021. As my child is in the class of 2023, the consent order does not in any way govern her high school graduation.

To date, we do not know what test will be the graduation requirement for the class of 2023 as the State Board of Education has not yet promulgated alternate regulations. What we do know unequivocally, however, is that pursuant to the Court's opinion, which remains fully operative with regard to the Class of 2023, of which my daughter is a member, the test that will be the graduation requirement will not and cannot be the Algebra I NJSLA.

In the future, do not instruct district employees to pressure my child to take an exam by threatening her graduation based upon incorrect legal advice.

Best regards,
Sarah Blaine

On May 10, 2019, at 9:40 AM, Jennifer Goforth

Hi Ms. Blaine,

It is not our intent to give legal advice for students or families. We are simply obligated to communicate the current NJ HS Graduation Requirements, <https://www.nj.gov/education/assessment/parents/GradReq.pdf> as per the New Jersey Department of Education. This document refers to the "consent order" that only adjusted requirements for class of 2019 and 2020, which you had attached to your email below.



Julie Borst

julieborst@saveourschoolsnj.org

The state is currently in litigation for Class of 2023, thus we were informed that all HS Math tests may potentially be an OPTION for graduation, which includes Algebra 1 based on option 2 for class of 2023 copied below:

or (2)
that all students currently in high school may satisfy the graduation assessment requirement by fulfilling any of the pathways applicable to the class of 2019

As always, the option to refuse testing remains for our students. If you choose to refuse testing, you can do so by sending written communication to Ms. Hopper, Principal of Glenfield.

Thank you

Jennifer Goforth

Director of K12 STEM
Department of Equity, Curriculum & Instruction
Montclair Public Schools

From: Sarah Blaine

Date: May 10, 2019 at 12:20:25 PM EDT

Subject: Formal Personnel Complaint re Violation of District Board Policy 2622.1

Ms. Goforth and Dr. Johnson:

First, and most importantly, I would like to address how appalling your decision to direct Ms. Pierce to approach my child directly was — not to mention that it was a clear infringement on my rights as a parent. The district has had notice that we intended that Elizabeth would refuse this test for many weeks. At no time prior to testing day were my husband or I contacted by any employee of the Montclair Public Schools to discuss this decision and whatever impact it may or may not have on her ability to graduate from high school. Instead, you chose to direct Glenfield Assistant Principal Ms. Pierce to wait until the day of the exam to approach my child directly to use high-pressure tactics based on false information (i.e., your false claim that she needed to take this test to graduate from high school) to pressure her to call me to seek permission to test. That is, frankly, an outrageous and blatant misuse of the district's physical access to my child in an intentional attempt to interfere with my parental rights. Please be advised that we reserve any and all rights we may have in connection with your intentional efforts to interfere with our rights as parents to direct our child's education and to parent her as we see fit.

126x



Julie Borst
julieborst@saveourschoolsnj.org

Further, as you are no doubt aware, District Policy 2622.1 - Parental Refusal of Standardized Testing provides:

The Montclair Board of Education is mandated by the State of New Jersey to administer certain statewide assessments to students in the district; and

The Montclair Board of Education recognizes that some parents choose to have their children decline to take one or more of such standardized tests.

It is the policy of the Montclair Board of Education that the parental decision to decline testing should be met at the district level with educationally appropriate and not punitive responses.

The Superintendent is directed to establish a procedure in accordance with this policy.

Your decision to instruct Ms. Pierce to engage directly with my child by using high-pressure tactics to force her to agree to test was punitive and disrespectful of my parental choice to have my child decline to take the NJSLA Algebra I test. Therefore, your actions appear to be in direct violation of District Policy 2622.1 and I presume that the district will discipline you accordingly for your violation of district policy. See Policy 0000.02, which defines district policies as “practices and standards binding on staff members and pupils.” You disregarded a policy that is binding upon you as a staff member, and so I presume that your superiors in the district will take appropriate personnel action. To the extent that a formal, signed complaint to instigate such disciplinary action against you is necessary, this email is intended to serve as such a complaint.

Second, I acknowledge your statement that it was not your intention to give legal advice to students or their families. That is wise, as the unauthorized practice of law is a crime in the State of New Jersey.

Third, your information is once again outdated. The time to appeal the December 31, 2018 ruling expired some time ago. No appeal was filed. Therefore, the state is not currently involved in litigation and the December 31, 2018 opinion that specifically provides that the Algebra I NJSLA exam cannot be used to satisfy the graduation statute remains fully operative with respect to my child.

Fourth, even the link you provided does not say what you claim below. As to the Classes of 2021 and beyond, the link actually says:

“The Class of 2021 and Beyond

The NJDOE will continue to work with the New Jersey State Board of Education to address, through the regulatory process, the Appellate Division’s December 31, 2018 decision. It is the goal of the NJDOE to address this matter in a thoughtful yet expeditious manner.”



Julie Borst
julieborst@saveourschoolsnj.org

Nothing in that statement indicates that there is any possibility that NJSLA Algebra I can be used to satisfy the high school graduation testing statute. Nor is that a statement that litigation is currently proceeding (again, there is no litigation currently pending). Similarly, it is not a statement that “all HS Math tests may potentially be an OPTION for graduation.”

You have copied and pasted some uncited/unsourced language below. I have no idea when it was written, so I cannot assess that language’s origin or validity, but again, as per my original email, the plain language of the decision — which remains fully operative with regard to the Class of 2023, of which my child is a member — makes it impossible under current legislation for NJSLA/PARCC Algebra I to qualify as it is not one test of reading, writing, and computational skills nor is it being administered to my child in 11th grade. Further, the language you quote applies only to “all students currently in high school.” My child is not in high school. She is in 8th grade. Therefore, even the uncited language you quoted does not apply to her.

Very truly yours,

Sarah Blaine



Julie Borst
julieborst@saveourschoolsnj.org

Below are three samples of misinformation provided to parents from their local school districts on high school exit exams. NJDOE has been made aware of these and which districts they are from.

Good evening,

His class 2020 needs to pass ELA 10 and Alg 1 assessments. Students have 2 chances to pass. Should a student not pass after both attempts, then they would complete a portfolio.

The courts had an opportunity to overturn the states regulations for the class of 2020 and beyond, but agreed to stay the course. I'm not sure what's next. All I can do is advise you that presently the state and courts have it as a graduation requirement.

I recall you asking before so I'll tell you out of nearly 1900 testers I only have one refusal on record.

Let me know what you decide.



Julie Borst
julieborst@saveourschoolsnj.org

May 2, 2019

Dear Parent/Guardian of Students Currently Enrolled in Algebra I,

As the State of New Jersey Department of Education continues to debate what they will and will not accept to fulfill the high school graduation requirement, it is the Collingswood Public Schools' plan to use the latest information released from the state and continue to test our students in Algebra I to fulfill this requirement. On February, 22, 2019 the state released the following:

The Class of 2021 and Beyond

The NJDOE will continue to work with the New Jersey State Board of Education to address, through the regulatory process, the Appellate Division's December 31, 2018 decision. It is the goal of the NJDOE to address this matter in a thoughtful yet expeditious manner.

Since this does not state that they are eliminating the current high school graduation assessment requirements, we will continue to move forward with the information we have. By opting your student out of testing you understand the State's Latest Requirements we have which are as follows:

The Class of 2021 and Beyond – Starting with the Class of 2021, students will only have two pathways to meet the high school graduation assessments requirements:

1. Pass the ELA 10 and Algebra 1 assessments; or
2. The submission by the district of a student portfolio through the Department's portfolio appeals process, assuming the student has taken all PARCC (NJSLA) assessments associated with the high-school level courses for which they were eligible* and receives valid score.

By opting your child out you are willing to take the chance that the state will change its graduation requirement and will not hold the district responsible for your decision.

..

Graduation Requirements

Under state law, New Jersey's graduating high school classes have multiple pathways to meet graduation assessment requirements. In addition to the graduation pathways described below, districts may utilize the NJDOE's portfolio appeals process for any student. Special Education students, whose Individualized Education Plans (IEPs) specify an alternative way to demonstrate proficiencies, follow the graduation requirements set forth in their IEPs¹⁰:

- **Classes of 2018 and 2019:** Students can meet graduation assessment requirements by: (1) achieving passing scores on high school level PARCC assessments; (2) achieving passing scores on alternative assessments such as the SAT, ACT, or Accuplacer; (3) utilizing the NJDOE's portfolio appeals process.
- **Class of 2020:** Students can meet graduation assessment requirements by: (1) passing the PARCC Algebra I and/or English language arts/literacy (ELA) grade 10 assessments; (2) sitting for all applicable PARCC assessments and achieve a passing score on an alternative assessment in ELA and/or math (options include the SAT, ACT, or Accuplacer, PARCC ELA 9, ELA 11, Geometry, or Algebra II); (3) utilizing the portfolio appeals process.
- **Classes of 2021 and Beyond:** Students can meet graduation assessments requirements by: (1) passing the PARCC Algebra 1 and English language arts/literacy (ELA) grade 10 assessments; (2) utilizing the portfolio appeals process.

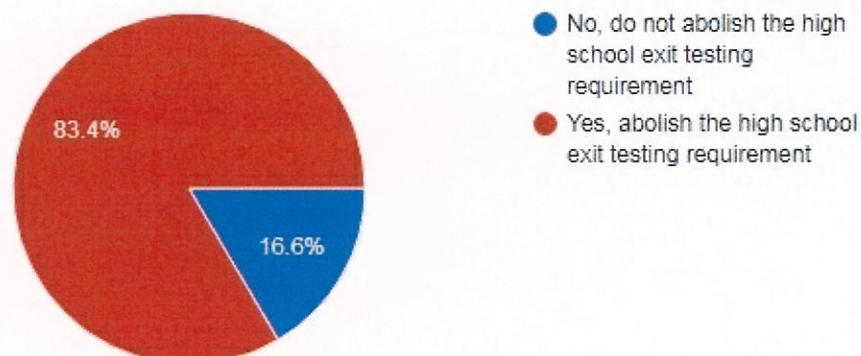


Julie Borst
julieborst@saveourschoolsnj.org

The following three slides are from a poll SOSNJ took last Fall. You can see that the overwhelming majority of those who answered want the exit testing gone as well as a reduction in the number of tests and the overall amount of time spent on testing.

New Jersey is one of 12 states that require students to pass standardized exit tests (currently Algebra 1 & 10th grade ELA PARCC) plus complete all of the necessary coursework in order to graduate from high school. Should New Jersey join the 38 other states that do not have an exit testing requirement and enable students to graduate by completing the necessary coursework?

941 responses

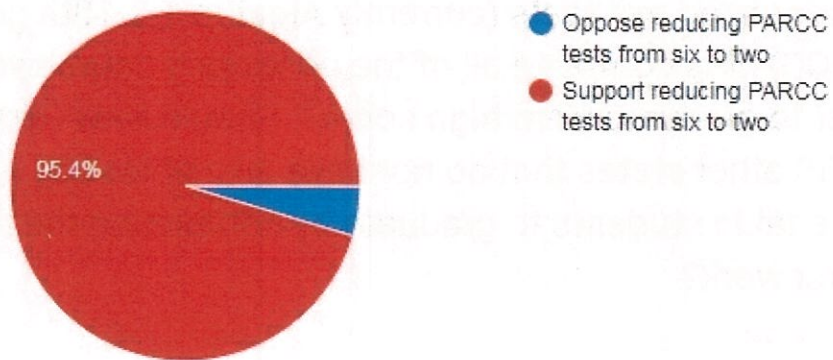




Julie Borst
julieborst@saveourschoolsnj.org

Do you support reducing the number of PARCC tests that New Jersey high school students must take from six to two?

938 responses





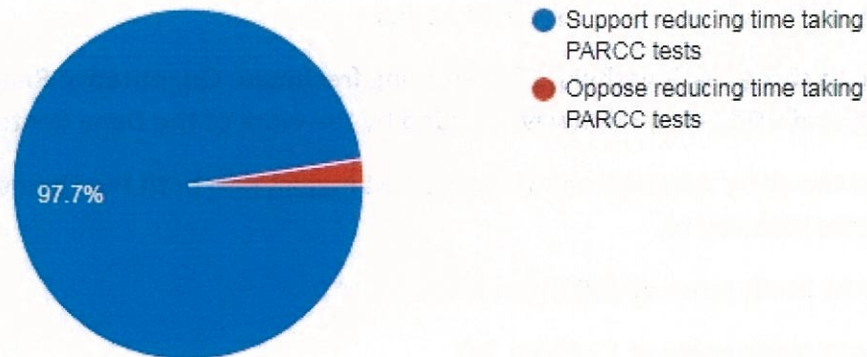
Julie Borst
julieborst@saveourschoolsnj.org

PARCC Graduation Regulations

941 responses

Do you support reducing the amount of time New Jersey students spend taking PARCC tests?

941 responses





Julie Borst
julieborst@saveourschoolsnj.org

From Dr. Eric Milou on college math remediation rates:

Dr. Eric Milou, milou@rowan.edu
Rowan University

REMEDICATION RATES:

Policymakers claim that PARCC can help reduce the "70% of first-year students attending a community college require remedial course work" statistic. FALSE!

To dramatically reduced remediation rates across the country, one needs to create mathematics pathways as Rowan has done and NOT require all students take the same algebraic-centered math classes and instead create courses in quantitative literacy and statistics.

What we have done at Rowan:

- Eliminated all Basic Algebra non-credit courses
- Creation of three math pathways for entering freshman: Quantitative Reasoning, Statistical Reasoning, and STEM-Prep pathway. (Guided by the work of the Dana Center at UT-Austin)
- Lowered the entry requirement for non-STEM majors into both the Quantitative Reasoning and Statistics Pathway to
 - SAT Math score of 400 (from 550)
 - ACT Math score of 17 (from 24)
 - Accuplacer score of 62 (from 77)
- Creation of non-credit course Foundations of Mathematical Reasoning for students who do not meet the lower entry requirement.

After one year (2017-18), our results are as follows:

- The number of students in non-credit math classes was reduced by 88% (807 students to 71 students).
- The passing rate in the new Foundations of Mathematics Reasoning (non-credit) basic skills course has improved over the previous non-credit Basic Algebra (BA) classes.



Julie Borst

julieborst@saveourschoolsnj.org

- For students with the lower cut score ($400 < \text{SAT} < 550$ or $17 < \text{ACT} < 23$) who previously would have been placed in non-credit remedial courses, their pass rate in their first year math course (without remediation) was a remarkable 78%.

Other States and Universities:

- Colorado revised placement policy to allow greater flexibility in placing students into college-level mathematics courses.
- Indiana aligned math pathways to programs of study to support consistent transfer and applicability.
- Missouri's flagship university established a quantitative reasoning pathway and has started a process to change a requirement that not all students should take College Algebra.
- Ohio removed Intermediate Algebra as the prerequisite for college readiness, redefined "college level content," and developed rigorous learning outcomes for a quantitative reasoning course so that to satisfy the math requirement in Ohio's public colleges, students not planning to major in math- or science-related fields can go right into a college statistics or quantitative reasoning class despite lower test scores.
- City University of New York (CUNY): In the past, all students had to pass algebra, regardless of whether they planned to study English or economics. CUNY now requires all of its associate degree programs to offer an alternative to remedial algebra, like quantitative reasoning or statistics.
- Michigan State University has revised its general-education math requirement so that algebra is no longer required of all students.

ALGEBRA II

It was long assumed that Algebra II was a prerequisite for success in college and careers. And while Algebra II may correlate with college success, the reality is that most of Algebra II content has very little to do with career readiness, workplace success or effective citizenship as pointed out so powerfully in the 2013 National Center of Education and the Economy report. The NCEE findings (<http://ncee.org/college-and-work-ready/>) are as follows:

- Fewer than five percent of American workers and an even smaller percentage of community college students will ever need to master the courses in this sequence (Geometry, Algebra II, Pre-Calculus and Calculus) in their college or in the workplace.
- American high schools should consider abandoning the requirement that all high school students study a program of mathematics leading to calculus and instead offer that



Julie Borst
julieborst@saveourschoolsnj.org

mathematics program as one among a number of options available for high school students in mathematics, with other options available (e.g., statistics, data analysis and applied geometry) that include the mathematics needed by workers in other clusters of occupations.

- Like the standard high school mathematics sequence, the placement tests that community colleges use to determine whether students will be allowed to register for credit-bearing courses or be directed instead to take remedial courses in mathematics are based on the assumption that all students should be expected to be proficient in the sequence of courses leading to calculus, in particular that they should be expected to be proficient in the content typically associated with Algebra I, Algebra II and Geometry. But our research shows that students do not need to be proficient in most of the topics typically associated with Algebra II and much of Geometry to be successful in most programs offered by the community colleges.

Marie Blistan

President, New Jersey Education Association

Introductory Remarks for the Joint Committee on Public Schools

May 14, 2019

Good morning.

My name is Marie Blistan and I have been a classroom teacher for more than 30 years. I've taught both in general education and special education settings, and I am certified reading specialist.

I am currently serving as the proud president of the 200,000-member New Jersey Education Association.

On behalf of our members, I'd like to first extend our thank you for holding this hearing today about this important issue that affects children in every corner of the state.

What brings us all here today is children and what **our students need** to become productive and successful citizens !

As educators, we adamantly support high-quality standards, and we adamantly support high-quality curriculum and instruction that helps us to help our students meet those standards.

A critical component of high quality curriculum and instruction is assessment. Assessment must be done correctly. As an educator, the value I place on informal and formal assessment cannot be understated. As educators, we all use assessments as tools to identify student needs and inform instruction.

While we value assessment as an integral part of teaching and learning, we strongly oppose the misuse and over-emphasis of standardized testing.

The reason is simple. Research is clear that high-stakes tests, such as 'exit tests', do not help our students become successful and productive citizens.

I've brought with me today, Dr. Christine Miles, NJEA Associate Director for Professional Development and Instructional Issues. Dr. Miles' professional experiences have steeped her in the research of authentic practice on educational assessment and she is an expert on student learning.

I've asked her to expand on what I've shared with you today and to discuss the next steps we must take regarding our students and policy that will truly help us meet their needs.

We look forward to working with you and other stakeholders on our next steps !

1/4/19



The Efficacy, Validity, and Practicality of Statewide Standardized Testing & **High School Exit Exams**

Marie Blistan,
President

Dr. Christine Miles,
Associate Director PDII

1

Good morning, my name is Dr. Christine Miles and I am an Associate Director of Professional Development and Instructional Issues with the New Jersey Education Association.

In addition, my past experiences include serving as a high school English Teacher, building-based administrator, and the Director of Consulting for Grant Wiggins' organization, Authentic Education, where my primary focus was on curriculum, design, and assessment.

Are our values and practices aligned?



How might we best support and prepare our students instead of sorting them into “successful” and “unsuccessful” while they are still children?

2

Supporters of our current high-stakes testing system claim it furthers equity for our students. However, these individuals ignore the evidence, data, and research surrounding the inequitable reality the system presents for our students.

Equality assumes that everyone benefits from the same supports. All are on a level playing field.

Equity provides everyone with the support that they need in order to succeed.

However, reality remains that the current system is designed in a way where those who “have” continue to have -- the system was designed for them -- while those in historically marginalized communities must continue to fight against an unjust system.

As policy-makers, you must continually ask yourselves what value there is in prematurely categorizing students as “worthy” or “unworthy” of opportunity while they are still children. This is what our current system of exit testing does to NJ’s students.

Federal Testing Requirements

Math & Language Arts:

- Annual Testing in Gr. 3-8
- Once in Gr. 9-12

Science:

- Once in Gr. 3-5
- Once in Gr. 6-8
- Once in Gr. 9-12

***There is NO FEDERAL REQUIREMENT
for exit testing***



Federal ESSA testing requirements in Math, ELA, and Science

New Jersey's Statute & Regulations

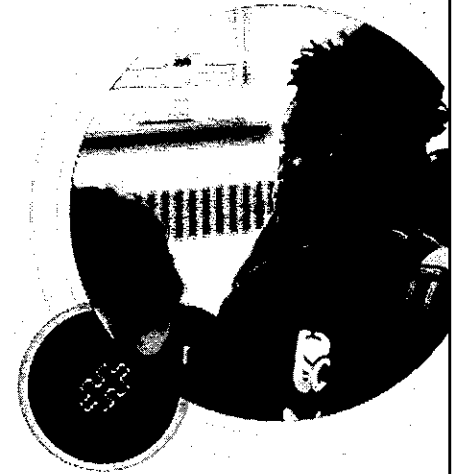
Math & Language Arts:

- Annual Testing in Gr. 3-8
- Grade 9
- Grade 10
- Grade 11*

Science:

- Grade 5
- Grade 8
- Grade 11

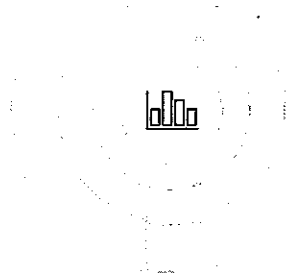
All students must pass an "exit exam" to meet graduation requirements



Current NJ statute states that all students must successfully pass an 11th grade assessment, during their 11th grade year. The Classes of 2019 and 2020 have access to alternate pathways for graduation, but our current 9th and 10th graders may not have this opportunity.

In light of the Superior Court's ruling, the NJDOE removed the 11th grade requirement for the Spring of 2019 only. However, in order to be in alignment with the existing statute, the state will need to re-institute an 11th grade assessment for the Class of 2021, during the 2019-2020 school year.

So, what does all of this testing look like?



73.5 Hours/Year

Of Statewide Testing Across Grades 3-11 in 2017-2018

98 Class Periods of Learning

Lost over a student's K-12 career

3 years' worth

Of a 1x/week elective period lost

(***additions in real-time) – As Assemblywoman Egan-Jones noted earlier this morning, her two grand-daughter expressed that their time was “wasted” during the PARCC. Let’s look at the actual amount of time that is wasted.

In the 2017-2018 school year, students across grades 3-11 spent a minimum of 73.5 hours taking the PARCC / NJ Student Learning Assessment.

This equates to 98 forty-five minute class periods of **lost** learning opportunities over a student’s academic career or 3 years’ worth of a once per week elective period where students could be cultivating their knowledge, skills, understanding, and competency in a vocation, trade, or area of passion. Imagine the value and power of dedicating this time to developing the skills needed for your current career.

KEEPING THIS DATA IN BACK POCKET FOR QUESTIONS, IF NEEDED:

In the 2019-2020 school year, we will see reduced testing time: 3450 minutes / 57.5 hours

Cannot accurately calculate this year because different rules for the Fall and Spring and reduction in time did not occur until Spring testing.

(***additions in real0time) – As Dr. Aderholdt mentioned, there is additional time wasted during testing windows when schools dismiss early or aim to reduce the mental load students carry during testing blocks.

“Is 6 hours an appropriate amount of time to capture the quality of curriculum? The quality of our districts?”

- Mr. Arcelio Aponte
President, State BOE

“At 3 hours, this would still be the longest assessment available in the country.”

- Dr. Arthur VanderVeen,
CEO, New Meridian



*Transcript from NJ State Board of Education Meeting
July, 2018*

6

At the high school level, a student who sits for the ELA and Math PARCC/NJSLA are currently engaging in a minimum of 6 hours of statewide testing. Dr. VanderVeen, CEO of New Meridian, the company who licenses the assessment content to the state of NJ, provided this response to SBOE President Arcelio Aponte.

NJ puts their students through more testing than ANY other state in the country, including Massachusetts (ranked #1 in K-12 education) and New Hampshire (ranked #2 in K-12 education).

“The more important indicator of post-secondary readiness is the curriculum and not the assessment.

States should be focusing on ensuring a rigorous sequence of courses instead of focusing on an assessment.”

- Dr. Arthur VanderVeen,
CEO, New Meridian



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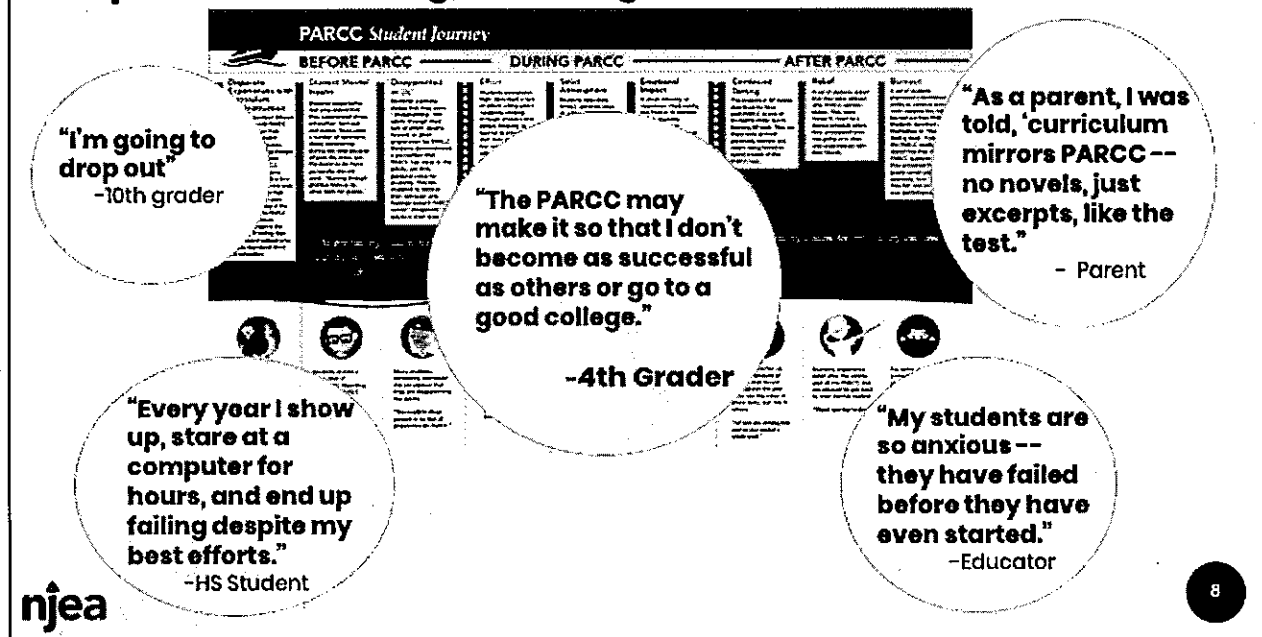
When urged to share his thinking on the proposed shifts in testing requirements and timeframes, Dr. VanderVeen shared the following.

Dr. VanderVeen's company stands to lose a great deal of money if testing is reduced, and yet, he urges the state of NJ to focus on curriculum and instruction.

Yet, NJ doubles down on assessment.

148x

Impact on Teaching, Learning, and Student Mental Health



In the Spring of 2018, NJEA worked with the NJDOE on the Statewide Assessment Outreach, gathering student, parent, and educator input on the lived experiences with PARCC. Throughout this work, we found that the statewide testing system has profoundly negative implications for curriculum and instruction and is severely impacting student mental health.

Copies of the NJEA Stakeholder Perspectives on PARCC Report and Student/Parent/Educator PARCC Journey Maps in addition to a comprehensive annotated bibliography of the available research on the mental health implications of standardized testing may be found in sections 1 and 2 of the binders you have been provided.

(***additions in real-time) – In response to Ms. Skinner's argument that assessment is a great "diagnostic tool" – there is a misconception about the purpose and structure of testing here. In education, we have various types of testing. The best way to demonstrate this is thinking about the following:

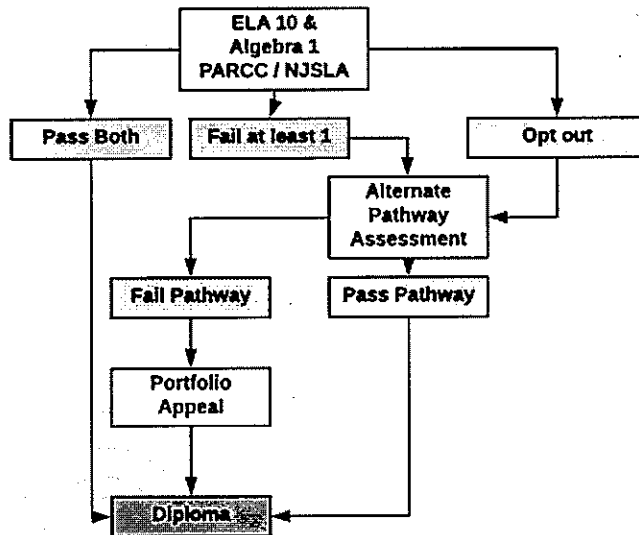
- Diagnostic Assessment is similar to blood-work. We go to the doctor, get blood-work done, and see what is happening. We might have elevated cholesterol levels. This doesn't capture our ultimate performance. It's merely a snapshot in time.

- Formative assessment is similar to a check-up after the initial bloodwork. We go to the doctor, and check-in to see if our interventions are working. We monitor the evidence and adjust our actions accordingly.

- Summative Assessment is similar to an autopsy. It captures what occurred. Feedback doesn't result in changes for the individual. The PARCC is a summative assessment, it captures what occurred in a given school year and the results come far too late – nearly 6-9 months later – to inform any action. Most notably in this connection, PARCC is killing our kids.

Now, let's look at what the process is like for our children.

Pathways to Graduation for Classes of '19 and '20



Alternate Pathway Assessment Options

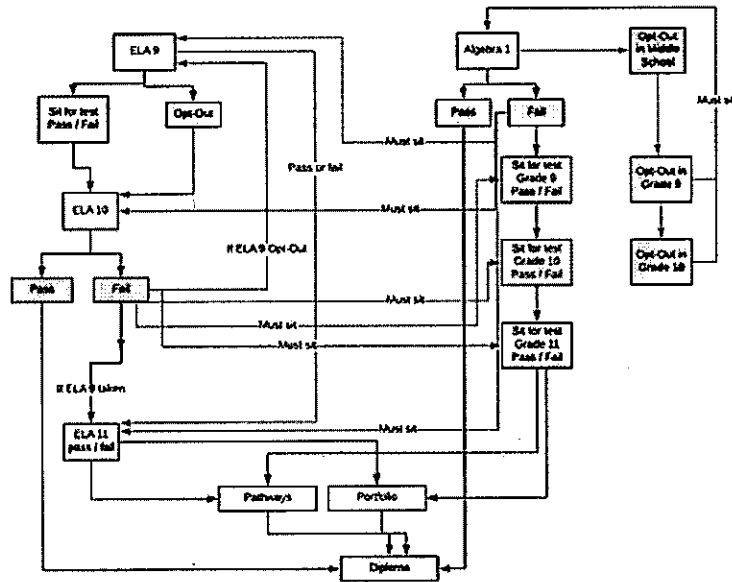
- SAT
- ACT
- Accuplacer / QAS
- PSAT
- ASVAB

The image presented shows the current pathway to graduation for the Classes of 2019 and 2020. These rules, as of today, do not apply to our current 9th and 10th graders.

NJEA is in great support of the extension of the consent decree for not only current 9th and 10th graders, but also current 8th graders.

(***addition in real-time) There was an argument earlier that the portfolio is a great option for some kids. However, we are currently forcing kids to sit through and fail the assessment first before gaining access to this alternative.

njea NEJEA



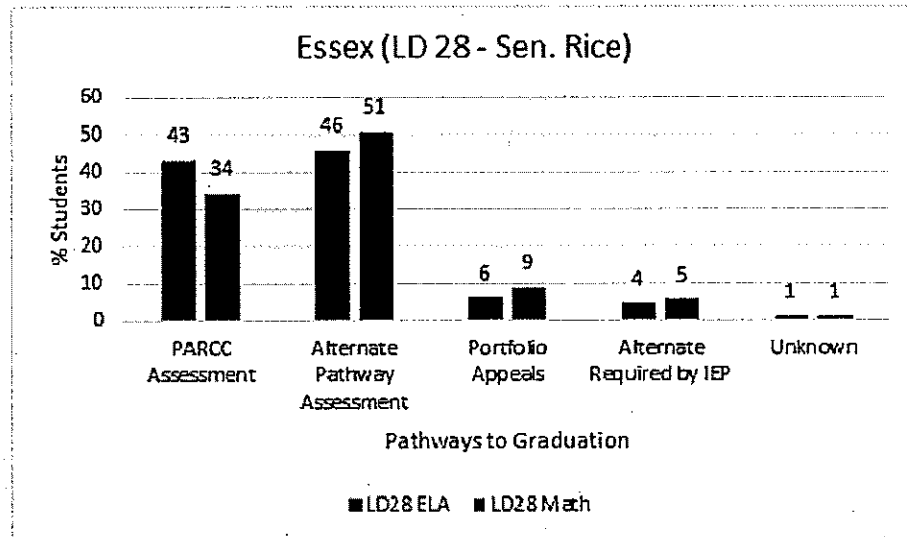
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(***addition in realtime) – Assemblywoman Egan-Jones questioned regarding Assemblywoman Lampitt's bill. This bill would make the graphic pictured possible. Not only would it green light this option, but it would also NOT put a limit on the number of tests required for students to pass to graduate.

But, honestly, how many students use the alternate pathways, anyway?

1.52x

2017-2018 Graduation Pathway Data



The slide on the screen represents the percentage of students in Senator Rice's legislative district, who have used the PARCC assessment, an alternate pathway assessment, portfolio appeal, or otherwise to fulfill their graduation requirement.

Each legislator on the committee will find their customized data, by the counties represented within your legislative district, in section 3 of your binders.

When greater than HALF of our students are using alternate pathways -- some of which put extra financial burden upon the family -- we know our statewide assessment system is in dire need of a change.

Statewide, these numbers are:

PARCC – 54%

Alternate Pathway – 31%

Portfolio – 5%

IEP Alternative (DLM) – 6%

Unknown – 4%

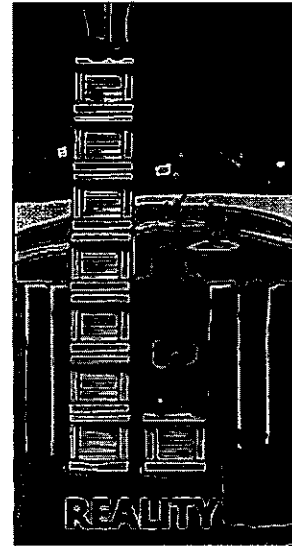
Case Against Exit Tests – Highlights from the Research

12 States Currently Require Exit Testing, Down from a High of 27

“High School graduation tests have done nothing to lift student achievement, but have raised the drop-out rate.” (Hout & Elliott, 2011; Grodsky, Warren, and Kalogrides, 2008; Warren, Kulick, & Jenkins, 2006; Dee & Jacob, 2006; Mason & Watanabe, 2015)

“Special Education, ELLs, African American, Latino, American Indian, and low-income students are far more likely to be denied a diploma for not passing a test.” (Hyslop 2014; Papp, Murnane, & Willet, 2010)

“Exit exams have been linked to increased incarceration; tougher graduation tests are associated with a 12% increase in incarceration rate.” (Baker & Lang, 2013; Hyslop, 2014)



12

The following is from FairTest, updated August 2018 –

- 12 States have graduation tests in place for the Class of 2019. (Down from a high of 27)
 - Florida, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New Mexico, New York, Ohio, Texas, Virginia, and Washington
 - *Pennsylvania has a moratorium on exit exams through 2020

(***Addition in realtime) --- As of Friday, May 10th, Washington has eliminated exit testing as well.

- Exit exams deny diplomas to tens of thousands of U.S. students each year, regardless of whether they have stayed in school, completed all other high school graduation requirements, and demonstrated competency in other ways.

A review by the National Research Council of the National Academy of Sciences concluded that high school graduation tests have done nothing to lift student achievement but have raised the dropout rate. (Hout & Elliott, 2011; see also, Grodsky, Warren, and Kalogrides, 2008; Warren, Kulick, & Jenkins, 2006; Dee & Jacob, 2006; Mason & Watanabe, 2015; Radcliffe & Melon, 2007). These tests give students who have worked hard, played by the rules and stayed in school the status

of high school dropouts, with the same barriers to opportunity and employment. This creates an enormous and growing cost to society. Adults without a diploma earn less, are less likely to be employed or have a stable family, and are more likely to be imprisoned. Hemelt and Marcotte (cited by Hyslop, 2014) found that the increased dropout out rate is especially pronounced in states that do not provide any alternative pathway for those who fail the tests.

- **Students with disabilities, English language learners, African American, Latino, American Indian and low-income students are far more likely to be denied a diploma for not passing a test**

(Hyslop 2014; Papay, Murnane & Willet, 2010). This is inconsistent with test defenders' claims that the tests benefit students from these groups. For example, in the Massachusetts high school class of 2015, 92% of white students passed all three graduation exams (English, math and science), but just 76% of blacks, 71% of Latinos, 61% of students with disabilities and 41% of English language learners passed. These failure rates contribute to higher dropout rates: Latino and African-American students drop out at rates three to four times that of white students. Eleventh and 12th graders who have not passed the state tests are more than 13 times as likely to drop out of school as those who have passed (MA DOE, 2013, 2015).

- **Exit exams do not improve employment prospects for those who pass the tests while harming those who fail and thus do not obtain a diploma**
(Warren, Grodsky & Lee, 2008; Baker & Lang, 2013). Test defenders say the exams "give value" to a diploma, but the research evidence shows the opposite is true, as the tests fail to produce claimed benefits.

- **Exit exams have been linked to increased incarceration**

§ (Baker & Lang, 2013; Hyslop, 2014). An extreme focus on testing creates disengaged students, putting many at risk of joining the "school-to-prison pipeline" (FairTest, 2010). Baker and Lang also report that tougher graduation tests are associated with a 12% increase in incarceration rates.

- **New, "tougher" tests are no more likely than the old tests to improve college and employment prospects but do cause more dropouts,**
with more extreme damage to the same groups of students harmed by the less tough tests (Baker & Lang, 2013). When states switch to Common Core tests, they are likely to see much higher failure rates (FairTest, 2013). For example, a Carnegie Foundation report estimates that if the new tests establish graduation eligibility at the proficient level on the National Assessment of Educational Progress, the six-year national graduation rate will decline from 85% to 70%, while the dropout rate will increase from 15% to 30% (Hamilton & Mackinnon, 2013).

- **High-stakes testing undermines education quality.**

Untested subjects are ignored, while teaching in tested subjects focuses too narrowly on the tests, with test preparation dominating some classrooms. Since tests are mostly multiple choice, students focus on rote learning instead of learning to think and apply their knowledge (Koretz, 2005). In high school this means students must take additional math or reading classes at the expense of other subjects in which they are more interested. Students who do not pass a graduation test are less likely to take college-oriented courses in subsequent high school years (Hyslop, 2014).

- **Graduation tests have “measurement error,”**

which means some children will fail even though they know the subject (Rogosa, 2001). Offering multiple opportunities to take the test only partially solves this problem.

- **A student’s transcript, not a test score, is what makes a high school diploma truly meaningful and gives the most accurate picture of a student’s readiness for college and career.**

§ Two major studies confirmed that high school grades are much stronger predictors of undergraduate performance than are standardized test scores (FairTest, 2009; Hiss, 2014).

- **There are better ways to assess students.**

§ The New York Performance Standards Consortium (2013), for example, uses a performance-based assessment approach, tied to project-based learning, which has been highly successful.

“How will we know our students are career/college ready?”



New Jersey State Minimum¹ Graduation Requirements by
Content Area 120 credits (N.J.A.C. 6A:8-5.1)

Content Area	5 credits	10 credits	15 credits	20 credits
English Language Arts				
Mathematics				
Science				
Social Studies				
Financial, Economic Business, and Entrepreneurial Business Literacy				
Health, Safety, and Physical Education	5 1/2 credits in health, safety, and physical education during each year of enrollment (Four years = 15 credits)			
Visual and Performing Arts				
World Languages				
Technology	Integrated throughout all courses			
21 st Century Life and Careers				

N.J.A.C. 6A:8 – Standards & Assessment.

- 120 Credit Requirements (6A:8- 5.1A.1)
- Locally-designed and administered assessments (6A:8- 5.1A.2.II)
- Attendance Requirements (6A:8- 5.1A.3)
- PLUS Locally determined requirements

State regulations (NJAC 6A:8) provides an overview of the requirements for students to graduate. Students are required to successfully pass 120 credits worth of coursework, demonstrate performance on locally designed and administered assessments, and meet attendance standards. Many districts require additional aspects as well.

When pro-testing parties argue that standardized testing indicates whether or not students are ready for college and career, those steeped in the research and practice know that this is an ignorant misconception with significant consequences for our students.

There is **no research** basis in the claim that PARCC/NJSLA will help reduce the common concern that too many students are NOT college ready and require remedial course work. **Nor is there research** that PARCC/NJSLA performance is a predictor of future success.

There IS, however, research that confirms that a student's transcript (high school grades) is what makes a high school diploma truly meaningful and gives the most accurate picture of a student's readiness for college and career. (FairTest, 2009; Hiss, 2014)

When pro-testing parties use the argument that the high number of students in remedial college courses demonstrates the need for high-stakes standardized testing,

those steeped in the research and practice know that this is a false narrative. We can look to the practices of two NJ-based Higher Education institutions for solutions -

Rowan University - Dr. Eric Milou has shared

- To address the problem of first year college students requiring remediation, Universities must create various mathematics pathways, as Rowan has done, and NOT require all students take the same algebraic-centered math classes. Instead, courses may focus on quantitative literacy and statistics.
- “The mathematics you need to go into a career, vocational, carpenter, plumber — which are great careers — is completely different than the math you need to go to college. Which is completely different than the math you need to go into a STEM career in college. We have to have that discussion rather than saying college and career ready,” - Dr. Eric Milou, Rowan University

Warren County Community College

- To increase the graduation rate, WCCC abolished remedial courses and immediately saw the graduation rate double. Remedial courses often become a trap for students—few actually complete the courses and those that don't are gated from the credit-bearing courses they need for their degree.

In addition, Warren County Community College has increased their graduation rate by simply abolishing remedial courses. And so when they abolished the remedial courses, they immediately saw their graduation rate double; their remedial courses often become a trap for students. Few actually complete the courses, and those who don't are gated from the credit-bearing courses they need for their degree.

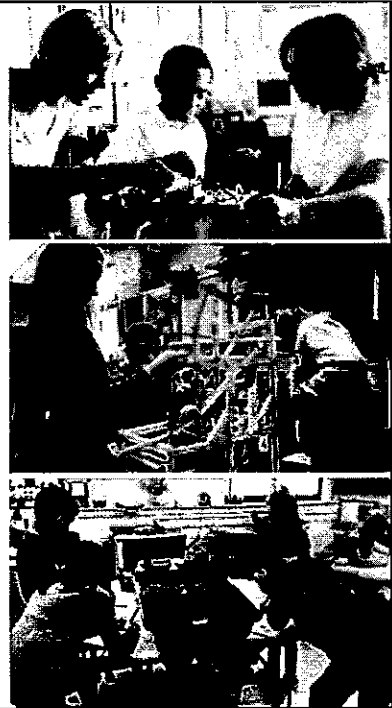
So what's the alternative? Performance-based assessment. There are multiple states that are using performance-based assessment. Performance-based assessment is one that actually allows us to demonstrate our skills; so those of you with children who are of driving age, they have gone through their driver's education program, they have sat down for either the written test or the computer-based test. At that point, would you allow them on the road? No, you would not. You want to make sure that they have at least the six hours of practical application behind the wheel, and preferably a whole lot more of practical application behind the wheel. And you want to make sure that they actually have the knowledge, the skills, the understanding, and the competency that they need to be successful.

② We can all regurgitate information; we can all Google and find information. But we can't just demonstrate skill if we don't have that time to practice the skill.

So performance-based assessment is something that's possible under ESSA, the innovative assessment pilot. Students are given meaningful opportunities to achieve and demonstrate critical knowledge and skills. It enhances educator professional assessment literacy, because the educators are the ones who are collaborating to design, develop,

Performance-Based Assessment

- Under the Innovative Assessment Pilot
 - Students are given **meaningful opportunities** to achieve and demonstrate **critical knowledge and skills**
 - Educators **enhance** professional assessment literacy
 - Educators **collaborate** to understand **their impact** on students



If we truly want to ensure that our students are career and college ready, we must create a system that cultivates the knowledge, skills, and understanding students need to be successful in life beyond high school. Passing a standardized assessment does not indicate whether or not one will be successful in any given career.

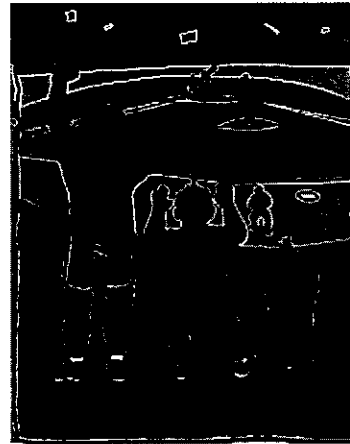
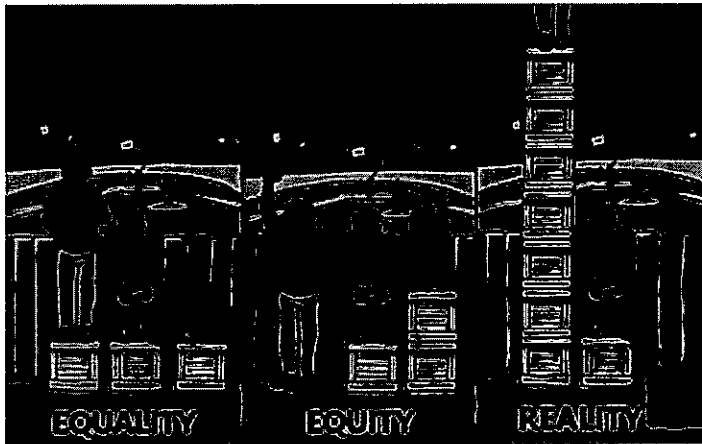
If we look to the most notable in any given field, we see authentic performance. In her opening, Marie mentioned Captain Sully - the commercial airline pilot who effectively made an emergency landing in the Hudson River, trusting his experiences and expertise when receiving conflicting guidance from ground control, and while under extreme pressure. Captain Sully's story reflects for us that there is an extreme difference between simply possessing KNOWLEDGE and truly UNDERSTANDING the nuances of complex areas.

Under the Every Student Succeeds Act, NJ has the opportunity to apply for a federally approved pilot -- the Innovative Assessment Pilot -- where we can institute classroom-based, curriculum-embedded performance assessments that fulfill the Federal requirements and allow our students to develop the competency needed for success, whether college or career bound.

For research on the merits and benefits of Performance-based assessment, a comprehensive transition plan including timelines, approximate costs, and policy

implications, please see section 4 of the binders provided to you.

What Could Be...



We continually hear that the state is in transition to a stronger and fairer system. In order to truly be stronger, fairer, **and just** -- the system needs to remove the unnecessary barriers that categorize our children as "successful" or "unsuccessful." All of our children are **worthy of opportunity** and as educators it is our role to support, encourage, and prepare our students for whatever post-secondary path -- college or career - that they wish to take.

By eliminating the unnecessary and burdensome exit testing graduation requirement and transitioning to an authentic, performance-based model, we tear down the fences standing between our students and their futures.

We look forward to furthering this discussion with you and are happy to provide any additional research-based information or clarification that you might need on these issues.



**Testimony of the NJ Principals and Supervisors Association on
Student Assessment
Before the Joint Committee on the Public Schools
May 14, 2019**

Thank you for the opportunity to share the perspective of the NJ Principals and Supervisors Association (NJPSA) on the role of student assessment in our schools. Our association represents over 7,000 principals, assistant principals and supervisory staff serving in key instructional roles in our public schools. In the area of assessment, we are directly engaged in overseeing curriculum, test preparation efforts, test administration, data review and work with our teachers to enhance our instructional programs.

The Role of Assessment in NJ Schools

NJPSA believes that student assessment is an integral part of the instructional process that is inextricably linked to our state learning standards, a viable curriculum and strong instructional practice, not as separate silos, but as part of an aligned learning system. Data from student assessments informs teachers, school leaders, students and parents on students' levels of understanding, areas needing attention and support, and assists in placement and other educational decision-making.

New Jersey's student assessments include local, teacher-developed assessments usually given formatively during the course of a subject to assess student knowledge and growth. It also includes diagnostic assessments to identify learning issues. Standardized assessments, usually commercially developed, can also be a component of a local district's assessment system if a board of education so chooses, for a variety of purposes.

Additionally, certain standardized assessments are required by federal and state law in grades 3 through 8 and once in high school (NJ Student Learning Assessments in English Language Arts (NJSLA-ELA) and Math (NJSLA-M) as part of our state accountability system under the Every Student Succeeds Act (ESSA). In this context, these mandated assessments serve both state and federal accountability purposes. Test results are one component of the system utilized to identify schools that are struggling and require intervention, supports and oversight. At the state and local level, these assessments have been utilized to review student growth levels at the elementary level for several purposes. At the high school level, NJSLA-ELA 10 and NJSLA – M (Algebra I) are currently the established assessment requirements to earn a New Jersey high school diploma, although alternative pathways and a non-standardized test option (a portfolio option) currently exist for juniors and seniors to demonstrate proficiency levels for graduation purposes. To earn a high school diploma, students must meet state and local course credit requirements, attendance requirements, and demonstrate proficiency through the state assessments or an approved alternate pathway.



The Current State of Uncertainty

Unfortunately, our schools have been on an assessment roller coaster over the past five years, to the detriment of our students, educators and our educational system.

During the past Administration, our schools were charged with the simultaneous implementation of three major initiatives: new curriculum standards, a new statewide assessment (PARCC) system and a new teacher evaluation system. Our members worked extremely hard, under unreasonable pressures, to do so with mixed success. You all lived through the public controversy that followed. Predictably, there were missteps in implementation and many lessons learned by both our members, the NJDOE and other stakeholders. Suddenly, state assessment was a major political issue, not an instructional one. Sadly, that is still the case today.

With the change in Administrations, a listening tour on assessments took place followed by the establishment of statewide committees of educators to develop “the next generation of assessments.” Educators finally felt they were being listened to concerning what assessment in NJ could be. The NJDOE continued to seek input from a broad range of stakeholders not only on state assessment, but also on the related issues of curriculum rollout statewide, professional development needs, system alignment and other components to improve our instructional delivery system. Actions were also taken to reduce the length of state assessments in response to public and educator calls for increased instructional time.

NJPSA has been an active partner in these efforts providing resources, member expertise and training sessions to the field on this important work. We have led efforts to develop statewide learning goals in English Language Arts and Math that “unpack” our state learning standards so teachers and local districts can utilize these tools to develop or modify their curricula. These statewide learning goals, derived from our state standards in ELA and Math, are designed to be the foundation of future state assessments. This work will also increase statewide capacity to deliver a strong aligned curriculum related to our assessment system.

Yet, before this work could be completed, the roller coaster took another turn.

On December 31, 2018, the Appellate Division of the NJ Superior Court struck down State Board regulations concerning high school graduation requirements finding these regulations did not comply with existing state statute (N.J.S.A. 18A:7C-7) requiring a statewide graduation test in the 11th grade. The Court provided a 30 day stay of its judgment to permit the NJDOE to seek further review and to avoid disruption in the ongoing statewide administration of proficiency exams.

This decision upended our educational system and the lives of our students until a consent order was reached that preserved the current menu of graduation options (state assessments, alternate pathways and portfolios) for current juniors and seniors only (Classes of 2019 and 2020). This spring, our members have worked to administer state assessments following NJDOE guidance in compliance with the Consent Order. Test administration has generally gone smoothly.

However, things are far from settled.

In a mere three and a half months, a new school year will begin. Current eighth, ninth and tenth graders will start school not knowing what requirements they will need to meet to earn a high school diploma absent action by this Legislature or an extension of the Consent Order to those classes. Frankly, this is inexcusable. It also violates due notice requirements and principles, N.J.S.A. 18A:7C-5.

Our members find it difficult to explain the situation to parents and students who ask this basic question. Our members also find it difficult to talk to teachers about what the state test will be next year, what curriculum changes need to be made this summer and during next school year, and how they should pace their instruction. No RFP has yet been issued for a new test and there is uncertainty as to whether a statutorily required 11th grade test or a more educationally appropriate assessment level can or should be developed. We are concerned that if the law is not changed, the NJDOE must, by default, act quickly and at great expense to develop an 11th grade test under a very tight timeline. In our view, this is not a sound decision either fiscally or educationally for the state or for local school districts, many of which are struggling with their budgets this year.

The Legislature has proactively tried to help. Stop-gap legislation (S-3381/A-4975) to remove the requirement of an 11th grade test during this transitional period passed the Senate and is pending a vote in the Assembly; yet political opposition to the broader issue of exit testing stalled this proposed legislative solution to the current, real life issue facing our current and incoming high school students.

There simply are no current or rational answers to the questions of our students, our parents or our members about high school assessment requirements in May 2019 and that frustrates us. We urge you to seek a break in the stalemate either in the legal or legislative process to resolve these issues. We ask you to put our students before politics.

We take no position at this time on the question of high school exit exams as a policy issue as we have not had the time to explore this issue in discussion with our membership. Our priority is to resolve the state of uncertainty faced by our current high school students, but we do welcome future discussions and the chance to share the information that is being presented here today with our members.

In terms of recommendations for the future, we have a few:

1. First, do not harm.

The phrase is often quoted but let's practice it with respect to our students and assessments. As New Jersey determines its future direction in state assessment, everyone should ensure that students do not suffer any negative consequence from the transition to



a new state policy or test. We should also ensure that fairness principles and due notice requirements are met for any new assessment in high school.

2. Range and Relevance to Students

On a more positive note, create an educational system, including its assessment components, that is relevant to students and promotes a broad range of opportunities for student success beyond high school with flexible pathways to demonstrate proficiency for those choices. Educators who work with our students need to be key partners in this discussion.

3. Stop the Roller Coaster

Provide the necessary time and stability to our educational system to achieve the critical work underway to align our standards, curriculum, assessment and professional learning systems to provide a strong instructional system statewide. Educators and students will benefit from the stability. Work with us to advocate for the extension of the Consent Order to current 8th, 9th and 10th grade students and to remove the 11th grade statutory requirement to give the NJDOE the necessary flexibility to work toward the most appropriate high school level assessment.

4. Continue the Conversation

Important issues warrant our consideration through research and discussion. NJPSA supports the creation of a commission or task force within the NJDOE to continue the conversation on high school assessment in New Jersey.

Thank you for your consideration of our thoughts on the complex state of assessment in New Jersey today.

Submitted by:
Debra Bradley, Esq.
NJPSA Director of Government Relations

**Testimony from a High School Principal and
President-Elect of the New Jersey Principals and Supervisors Association on
Student Assessment
Before the Joint Committee on the Public Schools
May 14, 2019**

Thank you for the opportunity to speak with you today on behalf of the educators and students in New Jersey's schools regarding the important subject of state assessments. I have a long history in education, beginning with my years teaching English at Asbury Park and Southern Regional high schools then to my role as a vice principal at Hillsborough High School, where I now have served proudly as the principal for the last thirteen years. As the President-Elect of the New Jersey Principals and Supervisors Association, I have had many opportunities to research, discuss, and present on the role of graduation assessment requirements, and I am honored to be given the opportunity to discuss this important matter with you today.

I would like to share my perspective as a high school principal in three areas:

- The role and purpose of assessment in our high schools,
- Some insight into actual impacts at the high school level of our recent assessment experiences in New Jersey, and
- Some thoughts and recommendations for the future.

I do not have easy answers for you since, on the heels of PARCC, any decision made will face extensive political and public scrutiny. I can tell you that my high school principal counterparts in Somerset County resoundingly said that they want to see testing reduced to one grade in high school with time left for remediation and a portfolio. However, there is much yet to be discussed before such a decision is made and, in keeping with Mrs. Bradley's recommendations, I would like to provide you with some insight as to what many schools have faced as a result of a testing system that became politicized and polarized. Caught in the middle were our students, who had their graduation requirements change on them midstream, with very little time left to rebound if they were unsuccessful on their very first attempt at the PARCC test.

Purpose of Assessment - Trust but Verify

The future of testing in New Jersey is very much up for debate. State assessment, in broader terms, is intended to be the formalized version of the phrase "trust but verify." Policymakers, parents, and students trust that schools are doing the right things, teaching a comprehensive and rigorous curriculum, and holding students accountable to high expectations. We are. They trust that educators develop lesson plans that align with state and federal standards. We do. They trust that formative assessments occur that help to identify strengths and weaknesses, which then guide a teacher's future efforts to review or re-teach concepts until learning is demonstrated successfully on a summative assessment. They do. They trust that material is covered to an appropriate breadth and depth that indicates that mastery has occurred in one course so that the student has been adequately prepared for the next level. It is.

This is an enormous amount of trust to place in educators, and we take that responsibility very seriously and strive to do all of that, and so much more, with efficacy. However, we all acknowledge that standardized tests serve the “verify” purpose of “trust but verify.” We *all* understand that, even the students who may not get excited about testing but who will -- more often than not -- do as asked and do their best, as long as they understand that there is a sound purpose that makes their efforts worthwhile.

A Window into Assessment Impacts at the High School

Unfortunately, the roller coaster of assessment in New Jersey in recent years has not resulted in a feeling of purpose, relevance or stability among my students, staff, or community. Allow me to share some real examples of what we have experienced and what we need to avoid in the future:

- **Impact of Early PARCC Confusion - Delayed High Stakes Portfolio Results**

A student who worked hard to pass her classes and for whom school did not come easily faced her first ever PARCC test, which was also taken on the computer for the first time. The results came back very late, into the start of the following school year, and she failed. Her schedule was overhauled, she was pulled from a course she would never have the chance to finish, and she was placed in a remedial course where she would also complete her portfolio. The portfolio was submitted to the NJDOE well ahead of their deadline. Months passed, but the NJDOE was overwhelmed by submissions, and, despite repeated phone calls and emails from the school, results still were not in hand just days before graduation. One day before graduation, facing the harsh reality of a hard-stop deadline to verify all graduation requirements have been met in order to participate in the ceremony, her mother drove to Trenton, parked herself in a waiting area at the NJDOE, and refused to budge until someone reviewed her child's portfolio. With verification of successful completion in hand, she returned to the high school with very little time left before the cut-off and handed over the letter. But for her efforts, her daughter would have missed the once-in-a-lifetime opportunity to walk in her high school graduation.

- **Rampant Misinformation Charged Conversations with Parents**

Uninformed or incorrectly informed parents made decisions based on news headlines and political sound bites. The ongoing public dispute about testing created a distrust of the schools, teachers, and administrators, as if we were attempting to manipulate them instead of providing information and simply enforcing the state requirements for this mandatory test. For example, one parent viewed the test as a college entrance test not a high school graduation test, and, knowing the student was not college-bound, was going to refuse testing. It took a 30-minute conversation with the parent, several emails, and a conversation with the student to finally bring them to the realization that it was factually accurate that this was a test to get out of high school, not into college. My colleagues and I spent significant time making sure that students and parents did not create a roadblock to graduation. Each year of testing brought hundreds of other interventions just like this one. All of this could have been avoided with a smoother transition from HSPA to PARCC.

- **Negative Impact of Opt-Outs on Students and District**

- With hundreds and hundreds of test-refusals, which is what opt-outs were called in our district, students who were not taking the test stayed home until testing was over for the day because we could not test appropriately and still have enough staff or space left to supervise the students who were not participating. However, many students who were in school and were in testing rooms were livid that their friends' parents let them stay home while their own parents did not.
- Between that frustration and their own disinterest in the test, figuring they would show proficiency on one of the pathway assessments, students opened the TestNav system, clicked on a few buttons, and submitted the tests, using just a fraction of the time allotted. Whether there was one answer completed or one hundred answers, the tests were considered "valid," and the scores reflected the students' disinterest and lack of effort.
- Just last year, a student who did take the exam seriously but was surrounded by students who quickly "clicked and submitted" was harassed by other students for taking the full time to take the test - to the point that adult intervention was required, testing was disrupted, discipline resulted, and the serious student had to be removed to another room to take her exam in peace.
- Hillsborough High School went to great lengths to encourage students to test, and I talked with or emailed with every single parent who wanted to refuse testing to try to change their minds, typically to no avail.
- The performance data we received back was useless. Our school, typically among one of the highest performing in the state, reported test results indicating that our students were unsuccessful, which undermines confidence in what is, in reality, a truly exceptional educational program in a state with a truly exemplary educational track record in the nation.
- So much hype and argument surrounded testing that students who are already generally stressed or those who are diagnosed with anxiety and depression were sometimes incapable of sitting for the test. Students vomited, had panic attacks, walked out of testing and into their counselors' offices, or could not complete the rest of the units and only came to school for classes once testing was done. No assessment should ever cause children angst to that degree and, given the increase in serious mental health issues we are seeing in schools, such a testing experience can be truly traumatizing for some students. The adult messaging about this can bring the test into perspective or blow it out of proportion for our students, to their benefit or detriment.

- **Impacts on the Educational Program**

Please do not move forward thinking that extensive amounts of testing can occur in a school without drastically impacting the educational program. In my school, in order to test 1800 students, the 600 who were not testing had to stay home. We did not have classrooms to house them or staff to supervise them. I have to offer a very expensive extra bus run every day of testing to ensure that all of our students could access their school day, and the only periods that ran consistently throughout testing were the lunch periods since, no matter what, we have to feed our students. The five remaining periods in our seven period day met but once in the entire testing cycle.

- **A Key Message - Ensure Assessment Relevance to Students**

Students at Hillsborough High School were thrilled with the pathways offered for graduation during the transition period since most take the PSATs, SATs, and/or ACTs. They care about these tests, take classes to prepare for them, do practice tests on their own time, and give their full effort while taking the tests. In fact, some students whose parents refused to let them take the PARCC test came to school anyway and sat in a small study hall in our Commons for over three hours each morning, working in their SAT Prep books (and probably playing a little Fortnite!). The state test held no relevance for them since they could graduate in an alternate way. However, their time was valuable, and they used it to prepare for the test that had meaning for them, which means that PARCC missed the mark if dedicated students saw no use for it, not even for the sake of their own pride in a good score.

Recommendations and Conclusion

As you proceed further with your discussions and deliberations, please bear in mind a few critical things:

- An incredibly wide range of learners traverse our educational programs, and standardized tests are created to determine if every student fits a certain mold. The diversity of our students' interests, abilities, experiences, and goals makes it inherently unfair to the students whose paths diverge from a traditional and often unsustainable college trajectory.
- Students should never start high school under one set of requirements and have them change midstream. Students begin to build their high school course of studies in middle school when they commit to their math and literacy classes, so that they ensure that they can get in all the courses they want before graduating. If they are planning that far in advance for their high school success, why can the State not do the same by ensuring that students enter and exit high school with the same set of expectations?

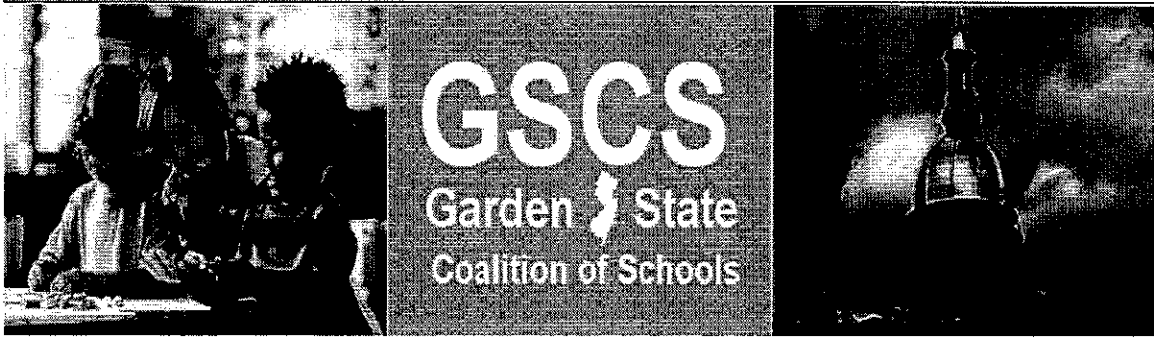
As I end my comments today, I ask you to consider once again what Mrs. Bradley suggested:

- First, do no harm. Students placed in situations of uncertainty rarely take the most prudent course of action, and continued uncertainty from the State about graduation assessment requirements will only add new fuel to the fire that previously torched all PARCC efforts in the press and with parents. Our students were the ones burned by this.

- Second, make plans that account for all students in our schools so that their range of interests, abilities, and goals are reflected and so that the next generation of assessments have relevance for them. We teach students to make informed choices, so why should we be surprised if they get the information and decide not to participate in a test that serves no purpose for them whatsoever?
- Finally, please stop the roller coaster. There are more than enough twists and turns to being a high school student and a teenager these days, with a dramatic increase in mental health issues as evidence of this. Our children should not require a seat belt to make it safely to graduation.

Thank you for your attention, as well as for the work yet to be done to develop an assessment system that addresses the diverse needs of New Jersey's students.

Respectfully submitted,
Karen A. Bingert
Principal, Hillsborough High School
President-Elect, NJPSA



Quality Public Education for All New Jersey Students

160 West State Street, Trenton NJ 08608

gscschools@gmail.com

609-394-2828 (office) 732- 618 5755 (cell)

www.gscschools.org

**JOINT COMMITTEE ON THE PUBLIC SCHOOLS
TESTIMONY ON ASSESSMENTS**

April 14, 2019

My name is Betsy Ginsburg and I am Executive Director of the Garden State Coalition of Schools, an organization of over 100 New Jersey school districts. I am also a nineteen year school board member, so I speak from insights gained through both groups.

Over the past decade we have spent an inordinate amount of time training for, implementing, adjusting and arguing about state assessments. Was all that time well spent? I am not sure.

PARCC was born out of a desire to close longstanding achievement gaps among New Jersey students and prepare those students for the next chapters in their lives. We shared that desire then and share it still. But its birth was accompanied by rhetoric that was divisive and pejorative. Its initial roll-out was top-down, tone-deaf, laden with jargon and extremely expensive in terms of time and money. Data-driven decision making using the data derived from PARCC was touted as an educational panacea. Those with even the mildest concerns were castigated for being opposed to change. That castigation only galvanized opposition and intensified debate.

Perhaps equally damaging was the way in which PARCC was used in some quarters to further divide us along well-known fault lines. Suburban educators and parents who voiced concerns were condemned as being ignorant of or uncaring about the critical needs of poor urban and rural students.

Dividing the educational house against itself in this way is the surest means of weakening the entire structure.

PARCC was also weighted with the baggage of multiple purposes for which it was not intended. The assessment's intrinsic value—and it had value--was obscured by that baggage.

The good news is that we now have the chance to do better. As we transition to the next generation of state assessments, we can take the time to come together and hold thoughtful conversations about why we assess and what we assess. I hope that we can do that by focusing on the needs of our students and the feedback we have received over the years from education practitioners, students and parents throughout the state. We have to do this in an environment of mutual respect and “malice towards none,” without injecting politics and didacticism into the discussion.

Most of all, we have to begin with the idea that even if we succeed in creating the best test (and I hope that we do), it is only a tool. Refocusing on the essentials—the quality of classroom instruction; the availability of educational tools (including functional facilities in every district) and the social/emotional health of our education communities—is of much greater importance than endless assessment debate.

We have a Federal testing mandate that is part of ESSA. We have a moral imperative to do better for all our children. Let's reject divisive rhetoric, learn from the past and work together

on a defined timetable to create better assessments. Then, let's get on with the tackling our students' most critical needs.



New Jersey School Boards Association

413 West State Street • P.O. Box 909 • Trenton, NJ 08605-0909 • Telephone: 609.695.7600 • Toll-Free: 888.88NJSBA • Fax: 609.695.0413

May 14, 2019

Joint Committee on the Public Schools

NJSBA TESTIMONY on STATEWIDE STANDARDIZED ASSESSMENTS

The New Jersey School Boards Association (NJSBA), a federation of boards of education, provides training, advocacy and support to advance public education and promote the achievement of all students through effective governance. The NJSBA is a member driven organization that operates on policies pertaining to public education adopted by our membership. Following is a summary of our current policies on statewide assessment and testing.

The NJSBA believes that a uniform statewide test or an alternative method of measurement should be used as the basic method of assessing whether students have met State and Federal standards. Further NJSBA policy, adopted by our members, states that assessments should:

- Be an accurate, valid, and reliable measure of whether or not the student has mastered the New Jersey Student Learning Standards;
- Measure skills appropriate for graduation (i.e., those skills commonly considered essential for functioning as an adult in American society),
- Should provide the district, the schools and the teaching staff with information that can be used to identify the need for remedial intervention as well as identify the opportunity for advanced or accelerated work,
- Be designed to ensure that all students have the opportunity, assistance and incentives to meet the state's academic standards.

The NJSBA believes in uniform statewide standards as set out in the New Jersey Student Learning Standards. The NJSBA believes that efforts designed to ensure pupils meet these standards should:

- Not cause undue hardship to students unable to meet them immediately.
- Require the provision of remedial programs (including during the summer) and appropriate evaluations for students failing to meet the standards;

- Be accompanied by State provision for the cost of both effective remediation, instructional materials and the professional development needed for improving the instruction necessary for that remediation.
- Provide adequate time and flexibility to districts in the development and adoption of curriculum and hiring of staff.

The NJSBA believes that multi-year financial assistance may be needed to assist school districts in paying for the added costs associated with the successful implementation of these standards.

The NJSBA believes that the annual reporting to the public on progress of all students in meeting the New Jersey Student Learning Standards as measured by the statewide assessment system, in each subject area assessed, should use the baseline data obtained in the previous academic year in lieu of an absolute standard.

The NJSBA believes that local district policy should define a set of performance indicators to be used to monitor the quality of each school and that it is important for the State Department of Education to annually collect information from each district that provides the community with a profile of each school's performance on significant indicators.

The NJSBA believes that the format for data should permit local boards of education and school officials to compare the performance of their schools to similar schools across the state or in selected districts.

With regard to the monitoring of test administration protocols the NJSBA believes it is important to:

- Monitor the implementation of all statewide tests to assure that the impact on school districts is a positive one on both curriculum and educational gains of students.
- Ensure effective implementation of assessments that are both statistically valid and reliable in accordance with testing procedures that are proven and established.
- Ensure timely release of useful assessment information so that there can be meaningful remediation for students and appropriate professional development for the instructional strategies.
- Require the provision of appropriate remedial re-evaluations for students failing to meet the standards.
- Limit testing so as not to provide undue hardship to students or their instructional program.

Finally, the NJSBA believes that, with respect to statewide graduation standards, local board policy should set local graduation requirements. The Association's policy supports local control over graduation requirements.



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

LAMONT O. REPOLLET, ED.D.
Commissioner

May 14, 2019

The Honorable Ronald Rice
The Honorable Mila Jasey
Joint Committee on Public Schools
41 West State Street Suite 2F
P.O. Box 070
Trenton, NJ 08625-0070

Dear Chairman Rice, Chairwoman Jasey, and Members of the Joint Committee on the Public Schools:

Thank you for the opportunity to provide an update on statewide standardized assessments, with an emphasis on graduation requirements. Please accept this letter update on behalf of the New Jersey Department of Education (NJDOE).

The NJDOE remains focused on transitioning to the next generation of assessments while maintaining New Jersey's high standards for students and ensuring equity of access to high-quality, rigorous assessments and graduation requirements.

Along with maintaining high standards, New Jersey must comply with federal mandates and must implement assessments that provide a snapshot on how students in all schools, and of all student groups, are progressing toward meeting state standards. This snapshot is limited but can be used to support learning in the classroom and can provide schools and districts with critical information to enhance curriculum and instruction. Additionally, we use these results – with the greatest emphasis on growth, alongside other quantitative and qualitative measures – to inform communities about productive utilization of district resources and to identify schools and districts that require additional support from the NJDOE.

These goals, working in tandem with service-oriented implementation, remain central components of NJDOE's mission to promote a stronger and fairer public-school system. However, as a former teacher, principal and superintendent, I deeply understand the importance of making incremental changes and giving fair notice to students and educators so they can evolve and adapt their systems of instruction. This letter summarizes some of the key aspects of our transition to the next generation of assessments and describes how we are balancing our multiple federal and state requirements with our commitment to a successful development and implementation of New Jersey's assessment system.

176x

Background

As you know, last summer the NJDOE was tasked by Governor Murphy to transition to a next generation of statewide assessments for English language arts (ELA) and math in grade 3 through high school. The NJDOE staff began this process by engaging with thousands of students, educators, parents and other community members to listen and learn about their experiences with previous statewide assessments. We presented our findings publicly in July 2018 through a Summary of Outreach,¹ in which we committed to at least a two-year transition process as a response to educators' requests for a deliberate, smooth conversion to a new assessment.

Following this report and working within federal legal requirements, the NJDOE began to make incremental improvements to New Jersey state assessments that were both within the authority of the NJDOE and informed by stakeholder feedback. A few of these key changes included shortening the length and time of the assessment; removing the "PARCC" name from the assessments, and rebranding them the New Jersey Student Learning Assessment (NJSLA); minimizing the weight of the assessments in teacher and principal evaluations; and making various recommendations for regulatory changes to the New Jersey State Board of Education, which included reducing the number of assessments in the high school schedule. For the 2018-19 school year, the NJDOE continues to engage with educators about specific aspects of assessment, research best practices and implement real-time improvements to the statewide assessment.

The NJDOE is on track to transition to a new ELA and math assessment system by the 2020-21 school year. Phase II of our Assessment Outreach was launched with the Practitioner Working Groups, which included educators who work directly with assessments, meeting regularly from January through April 2019. During this process, the NJDOE relied upon 243 teachers, school staff, content experts, parents, and community members from across the state to evaluate major points of feedback from Phase I of our Assessment Outreach and recommend viable solutions for the path forward. In this second phase of outreach, the NJDOE is deeply engaging with educators to evolve the assessment system and improve state-level supports and communication through a series of meetings focused on technology, data and reporting, and accessibility features for English Language Learners (ELLs) and students with special needs. A summary of our findings from Phase II is expected to be released this summer.

Outreach efforts over the last year were focused on ELA and math state assessments, which are part of a larger statewide assessment system. In accordance with federal requirements, New Jersey administers and reports on the New Jersey Student Learning Assessments in ELA, mathematics and science, which measure mastery toward New Jersey Student Learning Standards; the ACCESS for ELLs assessment that measures ELLs' progress toward English proficiency; and the Dynamic Learning Maps assessment that measures the performance of students with the most severe cognitive disabilities.

¹ <https://www.nj.gov/education/assessment/AssessmentReportSummary.pdf>

Status of Statewide Assessment

The spring 2019 administration of the New Jersey Student Learning Assessment (NJSLA) in grades 3-8 in ELA and math successfully launched on April 8, 2019. Due to the reduction of testing time by approximately 25% in each content area assessment, during the first week of testing, approximately 25,000 more assessments were completed across the state as compared to last year's administration. The first operational administration to grades 5, 8 and 11 of the New Jersey Student Learning Assessment for Science, or NJSLA-S, began on May 6, 2019. The NJSLA-S was built from the ground up with the support of New Jersey educators from across the entire state. Moreover, the class of 2019 continues to have the option to complete a portfolio appeal. To date, our Assessment Office has processed more than three thousand portfolios. Additionally, feedback on how to improve the implementation of portfolio appeals was a focus area in Phase II of Assessment Outreach, and we continue to work with educators to enhance our guidance and support of this process.

Graduation Requirements

In the last year, the NJDOE had the opportunity to hear the voices of thousands of stakeholders. The inclusion of diverse opinions was a focal point of many of those conversations about the future of New Jersey's high school assessments, as was the NJDOE's commitment to smooth, incremental changes, particularly for students in high school.

However, our students experienced an abrupt graduation policy change on December 31, 2018, when the Superior Court of New Jersey's Appellate Division invalidated existing regulations outlining the graduation assessment requirements.² The Court determined that since the regulations required students to take and pass Algebra I and ELA 10, which could be taken outside the 11th grade school year, the regulations were not in compliance with state statute that requires students to pass an 11th grade assessment prior to graduating.

Because this decision caused some confusion, Governor Murphy's Administration responded quickly to provide clarity regarding graduation assessment requirements for the students in the classes of 2019 and 2020. On February 15, 2019, a court-authorized Consent Order was approved, which established that the graduation assessment requirements for the classes of 2019 and 2020 would be the same graduation assessment requirements that had been in place for the Class of 2019, prior to the Appellate Division's December 31, 2018 decision. Please notice that these are the same requirements that were in place for the classes of 2017 and 2018, and therefore our schools, educators, students and parents are familiar with these rules.

² *In re N.J.A.C. 6A:8 Standards and Assessment*, No. A-0768-16T4 (App. Div. December 31, 2018).

Given the court-authorized Consent Order, the high school assessment graduation requirements that are in place for the classes of 2019 and 2020 (current 11th and 12th graders) are:

1. Achieve passing scores on Algebra I and/or ELA 10; or
2. Achieve scores defined in the graduation assessment requirements chart on alternative assessments such as other high school level state assessments in math and ELA, the SAT, ACT, or ACCUPLACER; or
3. Submit, through the district, a student portfolio appeal to the NJDOE.


Next Steps

The NJDOE will continue to work with stakeholders and the State Board of Education to further define the graduation assessment requirements for the class of 2021 and beyond. As we are committed to making incremental changes and providing fair notice to students and educators, there is a great sense of urgency to determine graduation assessment requirements for current high school students.

In the coming weeks, the NJDOE will convene a multi-day policy forum with representatives from diverse education and community groups, students, educators, legislators, parents, and State Board of Education members. Members of this forum will offer their thoughts on graduation assessment requirements and future high school assessments. The group will then make recommendations to the Legislature and the State Board as we determine the best path forward for our graduation assessment requirements.

I have the honor and privilege of leading the education agency of a State that deeply values the quality of education for all students. I am confident that by bringing together diverse perspectives across New Jersey to identify policies that reflect our commitment to high expectations, we can build consensus around the best path forward.

Sincerely,



Lamont G. Repollet, Ed.D.
Commissioner



JerseyCAN Testimony to the Joint Committee on Public Schools regarding Statewide Standardized Assessments

May 14, 2019

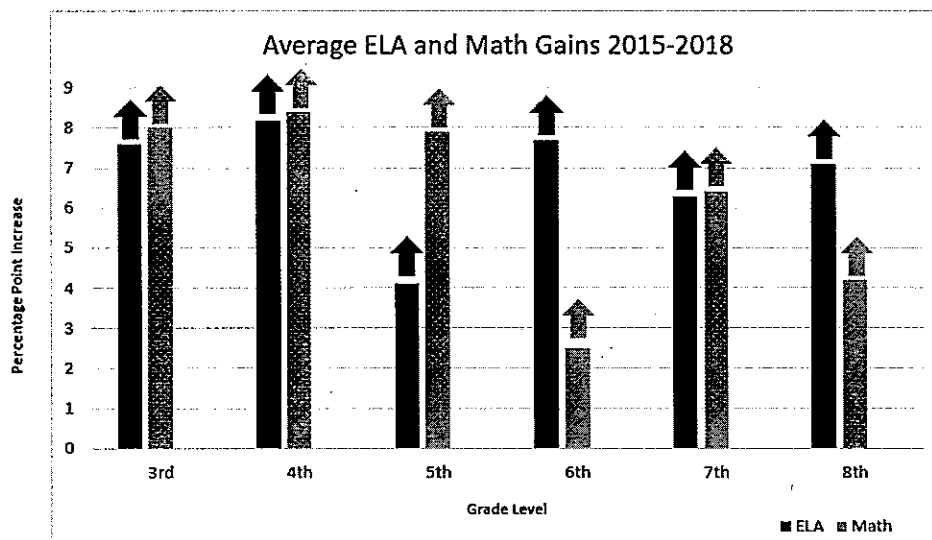
Dear Members of the Joint Committee on Public Schools,

Thank you for your invitation to provide testimony regarding the efficacy, validity, and practicality of New Jersey's Statewide Standardized Assessments. JerseyCAN is a nonprofit organization that launched in March of 2013, and we advocate for a high-quality education for all New Jersey kids, regardless of their address. This means that we work to ensure that every student in our state graduates from high school prepared for college, career, and life success.

I. Student Proficiency as Measured by our State Assessments Has Seen Steady Year Over Year Gains

JerseyCAN believes that any conversation regarding the evolution of our statewide assessment system must first start with an understanding of where our students were and where they are today.

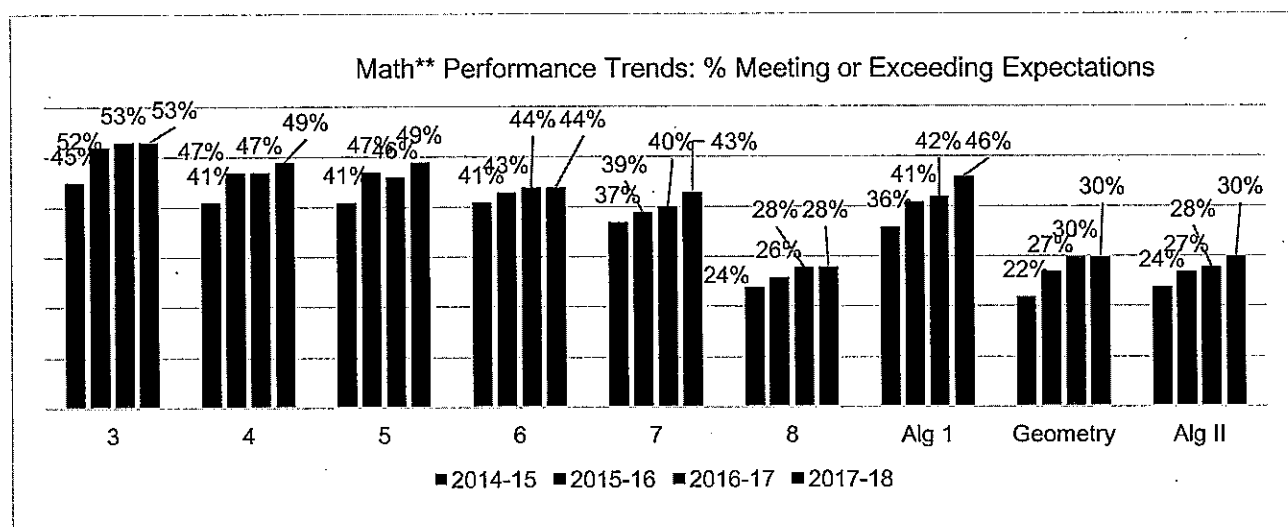
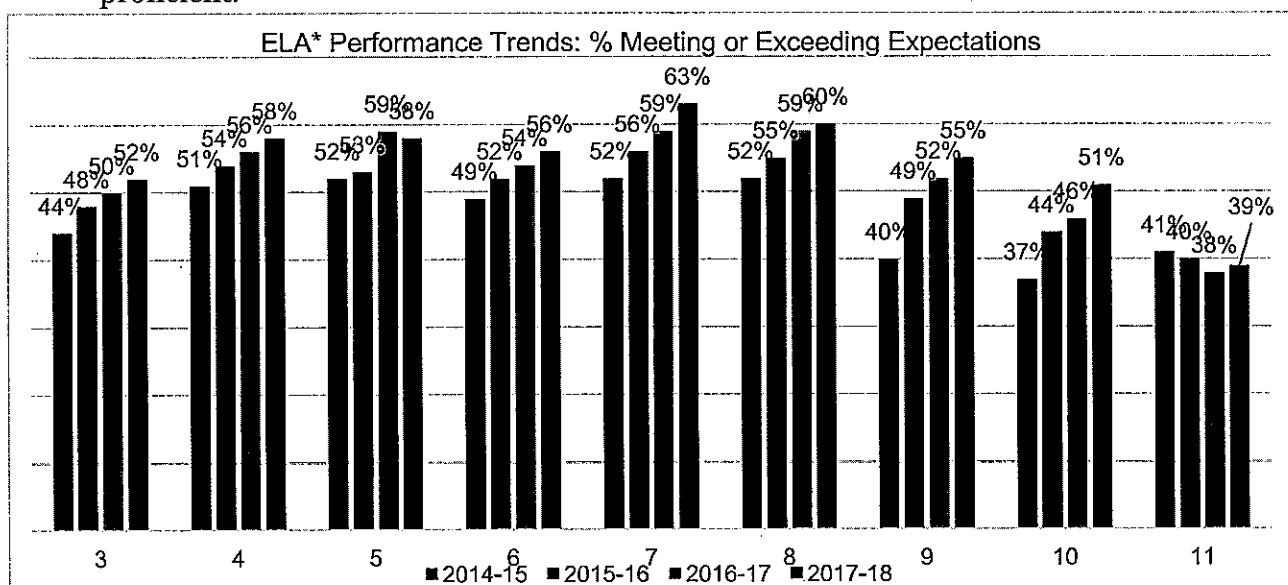
- Performance trends are up across all grade levels and tested subjects in grades 3-8. The number of students reaching proficiency increased an average of 7.8 percentage points in ELA and an average of 6.2 percentage points in math for students in grades 3-8.ⁱ



180x

Since 2015, ELA 10 and Algebra I have been New Jersey's graduation tests.

- Similar to grades 3-8, performance trends are up in nearly all grades and tested subjects, except for ELA11 where many students were exempted from taking the exam.
- In 2015, only 37% of students were scoring proficient on ELA 10. But in 2018 that number rose to 51%. A 14% increase over just four years.ⁱⁱ
- We have seen similar positive increases in Algebra I. The number of students meeting or exceeding expectations rose from 36% in 2015 to 46% in 2018. That means that more than 20,000 students or roughly 1/5 of the students tested in Algebra I are now proficient.



* Grade 11 students who took AP/IB English were exempted from taking the PARCC ELA exam.

** Results for grades 6-8 do not include students who took Alg I, Geometry, or Algebra II in those grades.

181x

- And we are seeing positive trends among sub-groups:
 - “African American students have seen an average percentage point increase of 9.5 in ELA since 2015, and Hispanic students have seen an average percentage point increase of 10.9 in the same time period. By comparison, the state average is a 7.8 percentage point increase in ELA.”ⁱⁱⁱ
 - Students with disabilities and economically disadvantaged students have seen a 6% increase in proficiency in Algebra I and a 7% and 13% increase, respectively, on ELA 10.
 - Former ELL students have also demonstrated significant gains, jumping from 24 to 33% proficiency on Algebra I and from 16% to 35% in ELA 10.^{iv}

II. Statewide Assessment Scores for New Jersey Students Are Comparable to New Jersey Student Performance on the Nation’s Report Card (NAEP).

When considering the validity of our statewide assessments, an excellent national test to which to compare student progress is the Nation’s Report Card or NAEP. Indeed, PARCC is the only assessment to have college-ready achievement standards comparable in difficulty to the NAEP proficiency level.^v New Jersey has historically scored at the top levels of NAEP in comparison to other states.^{vi} However, similar to scores on our statewide assessments, only about half of our students demonstrate scores on NAEP that are at or above proficient. To illustrate, in 2017, only 50% of Fourth Graders scored at or above proficient on Math and only 49% scored at or above proficient in Reading. Similarly, in 2017, only 44% of Eight Graders scored at or above proficient on Math and only 47% scored at or above proficient in Reading.^{vii} Accordingly, when student performance on our statewide assessments is compared to other rigorous national tests, our students are demonstrating comparable results.

III. Maintaining the Administration of an Assessment that Provides Consistent, Transparent Student Data is Critical to Ensuring that we are having Honest Conversations Across the State about Student Achievement

Without maintaining a rigorous assessment that is aligned to our state standards, we will not be able to obtain critical longitudinal data on student progress trends that can help educators, parents, and communities equitably serve students. Why is this important? Without a high-quality objective assessment like the New Jersey Learning Assessment, parents in Paterson won’t be able to ask why there is an 84.8% graduation rate, when only 16% of students are demonstrating proficiency on Algebra I and only 18% are demonstrating proficiency in ELA¹⁰. Some may argue to look to use SAT scores, on which 29% of students in Paterson meet the SAT Reading Benchmark and 11% meet the SAT Math Benchmark.^{viii} But, the SAT is not aligned to the New Jersey Student Learning Standards, which means we will have no statewide

assessment results as to whether our students have a sufficient understanding and comprehension of the New Jersey Learning Standards.^{ix}

IV. Students and Families Have Become Familiar with our Assessments

While it is important to review our statewide assessment system and to make adjustments to ensure that our assessments are evolving to prepare for the world of tomorrow, we must make adjustments carefully and in a way that considers academic data and considers the impact of proposed changes on important stakeholders like students, teacher, and families. One important factor in this consideration should be the participation rate in our assessments. While we all are familiar with the opposition that existed during the roll-out of our newest assessment in 2014-2015, there has been much less discussion about current participation rates. The participation rates of today tell a much different story – indeed, 97.3% of students statewide took the statewide math assessments and 97.5% of students statewide took ELA assessments in 2017-18.^x Further, communities that experienced wide spread opt-out early on are now showing strong participation rates. To illustrate, Cherry Hill East had roughly a 34% participation rate in 2014-2015, but in 2017-2018 had more than 98% of students participate in statewide assessments.^{xi} Similarly, Shore Regional High School in Monmouth County, which had only about 60% of its students participate in 2014-2015, now has a participation rate of over 99%.^{xii} Accordingly, the overwhelming majority of parents are having their students sit for our statewide assessments.

V. Conclusion

We appreciate the opportunity to provide the Joint Committee with our testimony today. Fundamentally, we believe a conversation about where to go and how assessments should evolve must start with a data-driven conversation of where our students and educators are today. Looking at the data demonstrates that thousands of our students are performing at higher academic levels than four years ago. Can we do better? Yes. Must we do better? Yes. But, to do that we must start from an understanding of where we are today, acknowledge what has and is working and determine if we can replicate and scale that progress and then ask how do we accelerate progress for those students that are not making the same academic gains.

Very Truly Yours,

Patricia C. Morgan
Executive Director
JerseyCAN

ⁱ <https://forstudentsuccess.org/new-jersey-students-success-trending/>

ⁱⁱ <https://www.state.nj.us/education/schools/achievement/>

ⁱⁱⁱ <https://forstudentsuccess.org/success-is-trending-high-academic-standards-advancing-equity-in-education/>

^{iv} <https://www.state.nj.us/education/schools/achievement/>

v <https://www.air.org/resource/national-benchmarks-state-achievement-standards>

vi <https://www.nj.gov/education/assessment/naep/nj.shtml>

vii

https://www.nationsreportcard.gov/profiles/stateprofile/overview/N/?cti=PgTab_OT&chort=1&sub=MAT&sj=NJ&fs=Grade&st=MN&year=2015R3&sg=Gender%3A+Male+vs.+Female&sgv=Difference&ts=Single+Year&tss=2013R3-2015R3&sfj=NP

viii <https://rc.doe.state.nj.us/> (Paterson City).

ix <https://www.achieve.org/college-admissions-tests-accountability>

x https://rc.doe.state.nj.us/report.aspx?type=state&lang=english&SY=1718&schoolyear=2017-2018#P90dc25a65ca3462f9411b9c4ae6f0318_10_11iS1

xi <https://www.nj.gov/education/pr/1415/07/070800030.pdf>
<https://rc.doe.state.nj.us/report.aspx?type=school&lang=english&county=07&district=0800&school=030&SY=1718&schoolyear=2017-2018>

xii <https://www.nj.gov/education/pr/1415/25/254760050.pdf>
https://rc.doe.state.nj.us/report.aspx?type=school&lang=english&county=25&district=4760&school=050&SY=1718&schoolyear=2017-2018#P3d2a00ff7cca479f9b08b3aaed45a746_2_2173iS9

ADDITIONAL APPENDIX MATERIALS
SUBMITTED TO THE
JOINT COMMITTEE ON THE PUBLIC SCHOOLS
for the
May 14, 2019 Meeting

Submitted by Stan Karp, Director, Secondary Education Reform Project, Education Law Center:

Anne Hyslop, “The Case Against Exit Exams,” *New America Education Policy Brief*, www.newamerica.org, © 2014 New America.

Submitted by Christopher H. Tienken, Ed.D., Associate Professor, Education Administration, College of Education and Human Services, Department of Education and Leadership Management and Policy, Seton Hall University:

Christopher H. Tienken, Ed.D., “Accountability for Learning,” *Kappa Delta Pi Record*, 54: 56-59, 2018, © Kappa Delta Pi.

Submitted by Julie Borst, Executive Director, Save Our Schools New Jersey:

Julie Larrea Borst, “Suspending High School Exit Testing is the Right Thing to Do for New Jersey Public School Students,” *Asbury Park Press*, January 10, 2019, © 2019 www.app.com.

Lisa Guisbond and Julie Borst, “OP-ED: NJ Should Seize Opportunity to Step Away from Graduation Test,” *NJSPOTLIGHT*, April 15, 2019, © 2019 NJSPOTLIGHT.