

PUBLIC HEARING

before

ASSEMBLY EDUCATION COMMITTEE

on

A-1785

(STATEWIDE TESTING)

Held:

November 9, 1982

Educational Improvement Center-South
Sewell, New Jersey

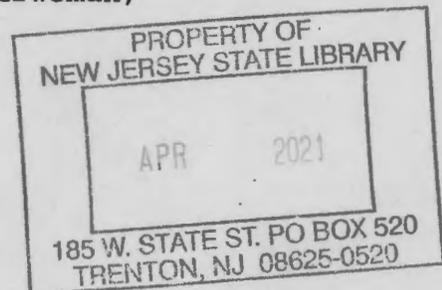
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MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Mildred Barry Garvin (Chairwoman)
Assemblyman Joseph A. Palaia

ALSO:

John A. White, Research Associate
Office of Legislative Services
Aide, Assembly Education Committee

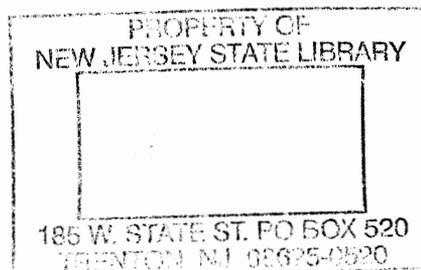


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ASSEMBLY, No. 1785

STATE OF NEW JERSEY

INTRODUCED AUGUST 5, 1982

By Assemblywoman CARVIN, Assemblymen THOMPSON, DORIA,
CHARLES, Assemblywoman COSTA, Assemblymen PANKOK
and PALATA

AN ACT establishing the New Jersey Educational Testing Program, supplementing Title 18A of the New Jersey Statutes and amending P. L. 1975, c. 212.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. (New section) The Legislature finds and declares that:

4 a. One of the major goals of a thorough and efficient system of
5 free public schools is to help develop the individual talents and
6 abilities of all pupils.

7 b. The commitment to educational excellence compels us to em-
8 phasize not only the basic skills but to nurture the higher levels of
9 educational performance in reading, writing, and mathematics
10 throughout the public schools of the State of New Jersey.

11 c. In order to fulfill the goals and objectives of a thorough and
12 efficient system of free public education, any Statewide testing pro-
13 gram shall include the following:

14 (1) The assessment of a wide range of skills and abilities;

15 (2) A high level of reliability and comparability over a signif-
16 icant range of schools and school districts;

17 (3) Sufficient data and analysis to provide the basis for the
18 development of sound educational policy;

19 (4) An emphasis on local district assessment of individual stu-
20 dent competencies;

21 (5) The presentation of the data in a clear, concise manner,
22 readily available to the public.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics *thus* is new matter.**

1 2. (New section) There is hereby established the New Jersey
 2 Educational Testing Program. The State Department of Educa-
 3 tion shall design the testing program to assess pupil skills in read-
 4 ing, writing and mathematics at all levels of proficiency appro-
 5 priate to the age and grade levels of the pupils being tested. In
 6 addition, the State Department of Education shall institute peri-
 7 odic assessment based on national tests in areas other than reading,
 8 writing and mathematics.

1 3. (New section) Beginning with the 1983-84 school year, the
 2 testing program shall be administered annually as follows:

- 3 a. In grades 3, 6 and 12, on a matrix sampling basis; and
- 4 b. In grade 9, on a matrix sampling basis. In addition, it shall
- 5 assess whether or not each pupil has achieved the level of pro-
 6 ficiency in reading, writing and mathematics required by P. L.
 7 1979, c. 241 (C. 18A:7C-1 et seq.).

8 The matrix sampling tests shall include a sufficient number of
 9 students and a sufficient range of items to insure that reliable
 10 summary information is available for each school and each district.

1 4. (New section) The State Department of Education shall pro-
 2 vide for the correlation, assessment, and reporting of the results
 3 of the testing program in order to evaluate the performance
 4 of each school as required by P. L. 1975, c. 212, sec. 10 (C.
 5 18A:7A-10).

1 5. (New section) Each local school district shall be responsible
 2 for the assessment of each pupil in that school district to ascertain
 3 the needs of the pupil with respect to State and local goals, ob-
 4 jectives and standards. The results of the district assessment
 5 program shall be reported to the board of education at a public
 6 meeting during the school year and parents and guardians shall be
 7 informed of the results of their child's assessment at least once
 8 per year. The Commissioner of Education shall establish standards
 9 for the local assessment program.

1 6. Section 2 of P. L. 1975, c. 212 (C. 18A:7A-2) is amended to
 2 read as follows:

3 2. a. The Legislature finds and declares that:

4 (1) The New Jersey Constitution provides that the maintenance
 5 and support of a thorough and efficient system of free public schools
 6 for the instruction of all the children in the State between the ages
 7 of five and 18 years is a legislative responsibility;

8 (2) It has been determined by the Supreme Court of New Jersey
 9 that the constitutional requirement has not been met and that action
 10 must be taken to correct any deficiencies;

11 (3) Extensive efforts have been made by the Executive and

12 Legislative branches of State Government and others since the
 13 Supreme Court's decision to determine the content of a thorough
 14 and efficient system of education and how it may be assured;

15 (4) Because the sufficiency of education is a growing and evol-
 16 ving concept, the definition of a thorough and efficient system of
 17 education and the delineation of all the factors necessary to be in-
 18 cluded therein, depend upon the economic, historical, social and
 19 cultural context in which that education is delivered. The Legisla-
 20 ture **must** *shall*, nevertheless, make explicit provision for the
 21 design of State and local systems by which such education is de-
 22 livered, and should, therefore, explicitly provide after four years
 23 from the effective date of this act for a major and comprehensive
 24 evaluation of both the State and local systems, and the sufficiency
 25 of education provided thereby;

26 (5) In order to encourage citizen involvement in educational
 27 matters, New Jersey should provide for free public schools in a
 28 manner which guarantees and encourages local participation con-
 29 sistent with the goal of a thorough and efficient system serving all
 30 of the children of the State;

31 (6) A thorough and efficient system of education includes local
 32 school districts in which decisions pertaining to the hiring and
 33 dismissal of personnel, the curriculum of the schools, the establish-
 34 ment of district budgets, and other essentially local questions are
 35 made democratically with a maximum of citizen involvement and
 36 self-determination and are consistent with Statewide goals, guide-
 37 lines and standards; and

38 (7) Such a system should be in part locally funded to encourage
 39 involvement of and assure the financial supervision by the residents
 40 of the local unit, and in part State funded, to equalize Statewide the
 41 tax effort required for a thorough and efficient system of free
 42 public schools.

43 b. The Legislature, therefore, hereby accept the responsibility:

44 (1) To define the overall goal of a thorough and efficient system
 45 of free public schools in New Jersey;

46 (2) To establish guidelines within which such a system shall
 47 operate;

48 (3) To delegate to appropriate State and local agencies the
 49 authority:

50 (a) To establish goals and objectives consistent with legisla-
 51 tive guidelines, and

52 (b) To define standards of performance, including uniform
 53 Statewide standards of pupil proficiency *at all levels* in **basic**
 54 **communications and computational skills,** *reading, writing and*

55 *mathematics* necessary to indicate *each school's* achievement of the
56 goals and objectives;

57 (4) To establish a funding structure which will ensure that
58 adequate financial resources shall be available to enable a system
59 of free public schools to operate throughout the State; and

60 (5) To monitor the system of free public schools and provide for
61 corrective action when necessary to ensure adequate progress
62 toward the achievement of goals and objectives.

1 7. Section 5 of P. L. 1975, c. 212 (C. 18A:7A-5) is amended to
2 read as follows:

3 5. A thorough and efficient system of free public schools shall
4 include the following major elements, which shall serve as guide-
5 lines for the achievement of the legislative goal and the implemen-
6 tation of this act:

7 a. Establishment of educational goals at both the State and local
8 levels;

9 b. Encouragement of public involvement in the establishment of
10 educational goals;

11 c. Instruction intended to produce the attainment of reasonable
12 levels of proficiency in [the basic communications and computa-
13 tional skills] *reading, writing and mathematics*;

14 d. A breadth of program offerings designed to develop the in-
15 dividual talents and abilities of pupils;

16 e. Programs and supportive services for all pupils especially
17 those who are educationally disadvantaged or who have special
18 educational needs;

19 f. Adequately equipped, sanitary and secure physical facilities
20 and adequate materials and supplies;

21 g. Qualified instructional and other personnel;

22 h. Efficient administrative procedures;

23 i. An adequate State program of research and development; and

24 j. Evaluation and monitoring programs at both the State and
25 local levels.

1 8. Section 6 of P. L. 1975, c. 212 (C. 18A:7A-6) is amended
2 to read as follows:

3 6. The State board, after consultation with the commissioner
4 and review by the Joint Committee on the Public Schools shall (a)
5 establish goals and standards which shall be applicable to all public
6 schools in the State, including uniform Statewide standards of
7 pupil proficiency [in basic communications and computational
8 skills at appropriate points in the educational careers of the pupils
9 of the State] *at all levels of reading, writing and mathematics and*
10 *a uniform Statewide standard of proficiency in reading, writing*

11 *and mathematics as required by P. L. 1979, c. 241 (C. 18A:7C-1*
 12 *et seq.)*, which standards of proficiency shall be reasonably related
 13 to those levels of proficiency ultimately necessary as part of the
 14 preparations of individuals to function politically, economically and
 15 socially in a democratic society, and which shall be consistent with
 16 the goals and guidelines established pursuant to sections 4 and 5
 17 of this act, and (b) make rules concerning procedures for the
 18 establishment of particular educational goals, objectives and
 19 standards by local boards of education.

1 9. Section 7 of P. L. 1975, c. 212 (C. 18A:7A-7) is amended
 2 to read as follows:

3 7. Each local board of education shall establish particular edu-
 4 cational goals, objectives and standards pursuant to rules pre-
 5 scribed by the State board. In each district in which there are
 6 pupils whose proficiency in **basic communications and computa-**
 7 **tional skills** *reading, writing and mathematics* is below the State-
 8 wide *or local* standard, the local board annually shall establish an
 9 interim goal designed to assure reasonable progress toward the
 10 goal of achievement by each such pupil of at least the Statewide
 11 *or local* standard of proficiency. Each such district as part of its
 12 annual educational plan, shall develop **a basic skills** *an* improve-
 13 ment plan for progress toward such interim goal. Any such im-
 14 provement plan shall be approved by the commissioner, and may
 15 include (a) curricular changes; (b) in-service training programs
 16 for teachers; (c) diagnostic, remedial, or skill-maintenance pro-
 17 grams for pupils; (d) consultations with parents or guardians;
 18 (e) any other measure designed to promote progress toward such
 19 interim goal. Each year each district shall evaluate pupil pro-
 20 ficiency in **basic communications and computational skills** *read-*
 21 *ing, writing and mathematics*, and determine its relation to, and
 22 progress toward Statewide and any interim goals concerning pupil
 23 proficiency in such skills. Such evaluation may be based in part
 24 on annual testing and in part on such other means as the board
 25 deems proper to determine pupil status and needs, ensure pupil
 26 progress, and assess the degree to which the goals have been
 27 achieved.

1 10. Section 10 of P. L. 1975, c. 212 (C. 18A:7A-10) is amended
 2 to read as follows:

3 10. For the purpose of evaluating the thoroughness and efficiency
 4 of all the public schools of the State, the commissioner, with the
 5 approval of the State board and after review by the Joint Com-
 6 mittee on the Public Schools, shall develop and administer a
 7 uniform, Statewide system for evaluating the performance of each

8 school. Such a system shall be based in part on annual testing for
 9 achievement in **[basic skill areas]** *reading, writing and mathe-*
 10 *matics*, and in part on such other means as the commissioner deems
 11 proper in order to (a) determine pupil status and needs, (b) en-
 12 sure pupil progress, and (c) assess the degree to which the educa-
 13 tional objectives have been achieved.

1 H. Section 11 of P. L. 1975, c. 212 (C. 18A:7A-11) is amended
 2 to read as follows:

3 11. Each school district shall make an annual report of its prog-
 4 ress in conforming to the goals, objectives and standards developed
 5 pursuant to this act. Each district's annual report shall include
 6 but not be limited to:

7 a. Demographic data related to each school;

8 b. Results of assessment programs, including Statewide and
 9 district testing conducted at each school, and the result of the
 10 district evaluation of pupil proficiency in **[basic communication**
 11 **and computational skills]** *reading, writing and mathematics*;

12 c. Information on each school's fiscal operation, including the
 13 budget of each school;

14 d. Results of each school's effectiveness in achieving State,
 15 district and school goals and objectives applicable to the pupils,
 16 including the effectiveness of any "**[basic skills]** improvement
 17 plan";

18 e. Plans and programs for professional improvement;

19 f. Plans to carry out innovative or experimental educational pro-
 20 grams designed to improve the quality of education; and

21 g. Recommendations for school improvements during the ensu-
 22 ing year.

23 h. Additionally, the State Board of Education may from time to
 24 time require each district to submit a facilities survey, including
 25 current use practices and projected capital project needs, but not
 26 more frequently than once every two years.

27 The district reports shall be submitted to the commissioner by
 28 July 1 of each year and he shall make them the basis for an annual
 29 report to the Governor and the Legislature, describing the condi-
 30 tion of education in New Jersey, the efforts of New Jersey schools
 31 in meeting the standards of a thorough and efficient education, the
 32 steps underway to correct deficiencies in school performance, and
 33 the progress of New Jersey schools in comparison to other state
 34 education systems in the United States.

35 **[In addition to such annual report the commissioner shall, four**
 36 **years from the effective date of this amendatory act, report to the**
 37 **Governor and the Joint Committee on the Public Schools assessing**

38 the effectiveness of this amendatory act in improving the pro-
 39 ficiency of the pupils of this State in basic communications and
 40 computational skills. Within six months of receiving such report
 41 the Joint Committee on the Public Schools shall recommend to the
 42 Legislature any necessary or desirable changes or modifications in
 43 this amendatory act.】

1 12. Section 14 of P. L. 1975, c. 212 (C. 18A:7A-14) is amended
 2 to read as follows:

3 14. The commissioner shall review the results of the evaluations
 4 conducted and reports submitted pursuant to sections 10 and 11 of
 5 this act. If the commissioner shall find that a school or a school
 6 district has failed to show sufficient progress toward the goals,
 7 guidelines, objectives and standards, including the State goal and
 8 any local interim goal concerning pupil proficiency *at all levels* in
 9 【basic communications and computational skills】 *reading, writing*
 10 *and mathematics*, established in and pursuant to this act, he shall
 11 advise the local board of education of such determination, and shall
 12 direct that a remedial plan be prepared and submitted to him for
 13 approval. If the commissioner approves the plan, he shall assure
 14 its implementation in a timely and effective manner. If the com-
 15 missioner finds that the remedial plan prepared by the local board
 16 of education is insufficient, he shall order the local board to show
 17 cause why the corrective actions provided in section 15 of this act
 18 should not be utilized. The hearing upon said order to show cause
 19 shall be conducted in the manner prescribed by subdivision B of
 20 article 2 of chapter 6 of Title 18A of the New Jersey Statutes.

1 13. (New section) There is hereby appropriated for the pur-
 2 poses of this act \$911,000.00.

1 14. This act shall take effect immediately.

STATEMENT

This bill does away with the Minimum Basic Skills Testing Program established in 1976 and establishes a New Jersey Educational Testing Program. The new program will cover both basic skills and higher level skills in order to encourage school districts to seek excellence rather than continue to stress minimum skills. The emphasis of the program will be on improving the schools. The assessment of individual pupils will be done by the local school district, in conformity with State and local goals.

Under this program students will be tested in 3, 6, 9 and 12th grades. The 9th grade test will continue to assess basic skill proficiencies of all pupils as a requirement for graduation. However,

the 9th grade assessment will also cover a wide range of skills. The approach to be used in grades 3, 6 and 12 will be a matrix sampling method. Every test item will be administered in every school, and every student will be tested, but not all students will be tested on the same items. This provides the State with an accurate assessment of the performance of any given school. It is an effective method for the formulation of Statewide educational policy and can form the basis for individual school improvement.

The new program will go into effect in the 1983-1984 school year. Until that time the State will continue to administer the current minimum basic skills testing program.

ASSEMBLYWOMAN GARVIN: The Public Hearing will come to order. I would like to thank those of you who are here this morning at this public hearing which is being conducted by the Assembly Education Committee. I would like to introduce myself. I am Assemblywoman Mildred Barry Garvin -- Madam Chairman of this Committee. I represent the 27th District, which is in Essex County. I have to my left one of my colleagues, Joseph Palaia, and he represents the 11th District in Monmouth County. That district has 24 towns in it. I have five towns in my district. To my right is John White, who is the Legislative Aide -- a very effective aide to the Committee and without him, believe me, the job would be even more difficult because he is a very excellent aide. I think he is the best aide we have in Trenton by the way. He will be responsible this morning for acknowledging those speakers who have already scheduled to be heard from. If other persons come in, he will also have to leave the table to see if people want to testify.

I would like to thank you for coming, and I would like to share with you the format that I would like to see this morning. The purpose of the hearing on A-1785 is for us, as Committee members, to hear the concerns that people have on a bill that has been introduced into the legislative process. I consider this process very valuable because even though we have introduced the bill, myself and my cosponsors, we have not taken the bill through the political process for passage. We will not do that until we have completed our public hearings. We have another public hearing scheduled for November 19, and that hearing will be held at the Educational Improvement Center Northeast in West Orange. So, the Committee's work on the bill will not take place until after we have completed the hearings so that as legislators we will have input for any possible amendments before the bill proceeds through the political process. Again, I thank you for your attendance this morning. John, would you introduce our first speaker?

MR. WHITE: Mr. Will Downham, Director of Supervision and Instruction in Washington Township Schools.

ASSEMBLYWOMAN GARVIN: I should share with you that our public hearings are being recorded and will be made available. So, when you do come up to speak, do speak into the mike so that we will have your comments recorded.

W I L L D O W N H A M: Let me first say that I have not had an opportunity to discuss what I am going to say with the Board of Education, nor with the Superintendent, so I am speaking not only as an educator, teacher, administrator, but also as a father, as a dad, and also as a grandfather.

One of the most important things that I think any testing program should do is -- and I think maybe the most obvious -- the manner in which the data is reported by whomever is doing the assessing. To me, this is primary. I looked at the statement that was made which said that the new program would cover both basic skills and higher level skills. I would say that that does reflect Washington Township at the present time. With the number of private sector groups I have interacted with, and also the teachers that I am interacting with and the building principals, they do applaud the efforts to -- I won't say de-emphasize minimums, but to emphasize different levels of excellence. I think we have to be very careful that we don't, shall we say "throw away the baby with the bathwater," because I think any kind of a testing program should give a range of standards. I think it is very important that we do continue with something like that that will give the taxpayers and the moms and dads an indication as to really where the districts are in terms of standards of "minimums," as well as standards of excellence.

From what I can read in the statement, there will be a continuation and an emphasis on "basic skills," and also on the higher level skills. I think that is a good blend.

Getting back to my initial point. To me, the most important service is the manner in which the results are communicated to the local districts -- clear, concise -- because it is our responsibility now to interact with students, parents, Boards of Education, and public groups we are working with, whether it be parent groups, whether it be T&E advisory groups, whether it be gifted/talented groups, whether it be a lay advisory group that is assisting us with curriculum development, whether it be principals, teachers, counselors, department chairpersons, or whether it be people at the central level, persons like myself and my staff. I have directly reporting to me a Coordinator of Mathematics and Science, as well as a Coordinator of Reading and Language Arts, and a Coordinator of Fine Arts.

We quite frankly use the results of the statewide testing and our norm reference testing. At the present time, we are using SRA. Basically, it becomes our agenda for program and pupil improvement throughout the entire year, and making sure that we can use the data to develop a team of people that represents not only the public education sector, but the private sector. We feel very, very strongly that there must be that teamwork between the private citizens and we public servants who are serving those children and those moms and dads.

So, I'm really not here shall we say to cast a vote one way or another, but to cast a vote for a continuation of clear, concise data, so that we can approach many audiences and make sure that those audiences can work together to help the individual child and to continue to help the overall district program improve.

ASSEMBLYWOMAN GARVIN: Okay, Mr. Downham, I thank you for that information. We will have it as a part of our overall review. Thank you very much.

MR. DOWNHAM: Thank you very much.

MR. WHITE: Dr. Norm Goldman, New Jersey Education Association.

D R. N O R M G O L D M A N: Good Morning. We are indeed grateful for this opportunity, and also for the fact that the Committee scheduled this hearing in South Jersey, which certainly needs its due these days in terms of exposure. It also was a delightful ride down, so for that we are also grateful. We are a little disappointed, however, because we understand that the Commissioner was quite anxious to talk to the Committee. I believe he wanted to speak to the group at the first meeting that was scheduled a couple of weeks ago and, as we understand it, he is contemplating some kind of program in this area that will be forthcoming in about January. However, we certainly applaud your efforts, Assemblywoman Garvin, and those of your colleagues, in basically doing some of the input work that has to take place on this issue. There has not been an issue that has been more controversial over the last eight years, and yet as things are being put into place in terms of a new effort on the part of the State Department of Education, this is, to my knowledge, the first opportunity that we have had to discuss the issue and the component parts that make it up, and for that we are grateful. We certainly hope the dialogue, not only between the Legislature and the organizations will broaden, but also we look forward to the Commissioner and the Department of Education participating in such a three-way discussion of such a key issue.

Let me indicate at first that the Association supports what we have come to call "comprehensive assessment" for the diagnostic/learning evaluation of

student performance and progress. When we talk about comprehensive assessment, we talk about more than just a test because I am sure you agree with us that when you are evaluating a student, and they are each a human being, that you need something more than just what a person will do during the course of 40 minutes with paper and pencil on a test. And the Department has made that commitment over the last few years to the issue of comprehensive assessment. That means a whole range of evaluation techniques. That means testing, of course. That also means health records of the students, parental interviews, teacher judgments, cumulative records, and so on. And so what we see is the necessity to look at the child from all these other different assessment techniques.

In addition, NJEA is totally sympathetic and committed to the remediation needs of our students. We are also sympathetic and committed, and I would like to reassure you of that, Assemblywoman Garvin, because I know you have been in the forefront on that issue, to the related fiscal needs of the urban districts. We understand and we sympathize with the frustration of our colleagues, be they board members or school superintendents, in the urban districts of this State. We know their needs, and we know those needs can only be addressed by fiscal support from the State, not less. I am terribly concerned when I hear the Governor speaking to the State PTA and indicating that we have to do more, with less, or that we have to deal with existing resources and move them around a little bit more. I think there is a certain amount of insensitivity to the needs of the urban districts in that regard. They are faced with the tremendous problem of municipal overburden. They can't even spend up to cap, and yet they are being told at the same time they have to do with what they have and do a better job -- more for less. That's not where it's at.

We continue to fight for the Administrative and legislative support of the compensatory education efforts and of that related financial commitment on the part of the State. We realize that when T&E was implemented and the State did mount a compensatory education program, there was no guarantee that maintenance of effort would be maintained by local districts. We could appreciate those problems. Those local districts have many other pressing needs in the area of services to the members of their communities and so, obviously, we've got to have more State support, not less. We understand the frustration that is related to testing in that regard.

The Association feels that any form of testing should be locally determined to reflect local curriculum and educational priorities. We are very careful to point out that that is not to say that data to random sampling techniques is not necessary for general planning and curriculum development purposes. In fact, Assemblywoman Garvin, we applaud you for introducing for the first time into the dialogue over a period of eight years the concept of random sampling. It is something obviously that is worth exploring. We know also that some of the experts who were involved in the national program of random sampling and national assessment of educational progress, a professor from Princeton University -- so there is a tremendous amount of resource in this State as we examine that particular approach.

The problems with testing arise, as we have pointed out over the last eight years, when one single test instrument is used to make decisions relating to a child's career in school or after. If you are classifying that child in any way, whether you are putting that child into a remediation class or not, whether you provided any other kind of service, it should not be done based upon one single

test instrument. And yet over the years, as we have discussed this, the reply is that there is a requirement in the Administrative Code State Board Regulations which says that the local school districts must use multiple measures when it comes to pupil progress. Yet we know from experience -- we know from experience, that it is not done that way. That those districts that need it the most have the least resources for comprehensive assessment. They have the least number of child-study teams, the least number of the kinds of services needed to evaluate the children as to where they are. And all too often -- in fact, I can recall a teacher from the district that was just represented here at the table, indicating to me that all too often the decisions about who goes into a comp ed class or not are made by looking at one computer printout and a line being drawn at a cutoff score. Sometimes children get placed in comp ed programs who do not belong there; sometimes children who do belong there do not get placed there -- if that is what we rely upon.

In addition to that, there is trouble that arises when one single test instrument is used in governing a school or governing a district. Now that might sound like a very foggy and cloudy concept, but it is not. Not when you look at the experience over the years in New Jersey and a school's label or classification is dependent upon one test. Not when you view that there was an implied -- implied, although not actual -- requirement that staff evaluation involved the reviewing of student test score results. The teachers of New Jersey are very much concerned about that. They want to teach those children to their fullest potential and they want the resources to do it. They do not want their schools governed by a test.

We applaud the Governor's commitment to rid our system of minimal tests, as we have long said it has reduced too many educational efforts to mediocrity. Let me point out to you and explode a common myth that the children in our cities are not doing well. It is true that many of our students in those cities are not doing well, but when you look at the test results, 45% and 50% of those students are scoring in the upper ranges of those classes. Yet, if the instructional program of that school is focusing on the minimums, those children, the high achievers in our cities, will be cheated of the programs and the services that they need to acquire better understanding of the curriculum.

So, while we have difficulty with many of the suggestions coming out of the Governor's Office in terms of financing and so on, we applaud the fact that he recognizes that we will reduce our educational program to mediocrity if we continue to focus on minimums. And some of the very people, 15 years ago, who established the whole approach to minimum competency testing, are now repudiating it. Dr. James Pomphum, as recently as two weeks ago at the annual ETS conference in New York City, said, "We may have made a mistake by focusing so much attention on minimum competencies because we have reduced the curriculum in that regard." And so we are encouraging the Commissioner, and we are encouraging you and the other members of the educational community, as we enter into this dialogue hopefully that will culminate in January when the Commissioner makes his announcement, that we can develop an approach that will provide for a fair, comprehensive system of evaluation that utilizes locally selected test objectives that match locally determined curriculum that fosters educational excellence and that stimulates State support of local remedial efforts in all identified areas of need.

On that point, let me make one digression that I feel -- that the Association feels very strongly about, a digression that would obviously help the urban districts. Under the current formulas and under the current Administration by the State Department of Education, when you identify a student in need, and it might fall into a few different categories, you are only paid for one. So our entire bilingual program -- the students are being reimbursed by the State for the bilingual costs, but if there is a reading deficiency or math deficiency, the State is not providing the money. In the compensatory education program, if the student is found in need in terms of reading and math, the local district is only provided money for one of those areas, and yet there are double needs there. Obviously, if that problem were corrected, you would find a tremendous amount of money having to go to those districts, particularly the urban districts that are in need of that kind of assistance from the State.

We're also looking for an approach that provides schools through professional judgment to include or exclude students, dependent on their real needs that may not be reflected in one test with one cutoff score. We should identify the fact that ranges should exist in which a student might fall. Also, it is possible that there was a fluke either way, in terms of the student, by one point passing the test or failing the test, and the point is, who decides whether that student needs remediation or not. In such a search, NJEA is pledging its complete cooperation to both you, Assemblywoman Garvin, and your Committee, and to the Commissioner.

In reviewing A-1785 before us, there are what we would consider some technical concerns. First of all, we feel the coverage may be too limited. Someone may be shocked at that, saying, "NJEA is in favor of a testing program that covers more areas of the curriculum than more areas of concern." The point is, we are concerned. We have done our own research; we have surveyed the teachers of this State over the last couple of years. We can give you the data that shows what they perceive as their needs for improving performance to help the students. Five areas come out the highest: reading, math, stress -- not study skills -- listening skills. And that is the key issue that I wanted to make -- that somehow we can't just say reading; we should go to the more comprehensive terminology of communication skills because in today's world you have to teach the skills that students need for listening in a very discriminatory way. They are being bombarded by the television tube. Cable T.V. will soon be upon us with even more opportunities. They are spending an inordinate amount of time watching T.V. and listening, and yet those higher critical skills of making the difference in terms of what they should believe and not believe, and how they evaluate that, those should be included in anything we do.

The other thing is, we are concerned in the areas of math and so on that we have to deal with the technological impact skills. In other words, high technology -- the computer, cable T.V. -- all these kinds of things. We are identifying new skills that students must need. If we don't give them these skills, these discriminating skills, they will become par, and they will be controlled and they will be like robots. That is our concern. So, those are the kinds of skills we would also like to see a program like this approach.

There is some concern that the bill carries with it a potential conflict between the concept of random sampling and the requirements of the high school

graduation test law. The high school graduation test law, as I am sure you know, and I am sure the Department people have advised you, is required of each student. Random sampling is another way of approaching testing, where different students receive different questions. So there is a potential conflict there in that regard.

Lastly, there are some remediation issues. We would like to see a guarantee that there will be this comprehensive assessment, and that decisions will not be made based only on one test score. I might point out that in the high school graduation diploma law, eventually such comprehensive assessment came into play after it appeared as if the student was continuing to fail the test, that there might be some other redeeming ways of dealing with that assessment. We might want to look at that part of the bill for the kind of language that might give that kind of guarantee. There is no guarantee in the bill, and I am sure you are concerned about this, Assemblywoman Garvin, that there be State funding. We all approached T&E eight years ago in good faith, and a lot of things happened, as you are well aware of, in terms of the maintenance of effort not being maintained by the local school districts -- because of good reasons in many cases, there's no doubt about it, and also the fact that now there are people in Trenton who would renege on the formulas that were established in the T&E law. It's interesting to see that the legislators dealt with that issue yesterday by refusing to go along with the movement on the date of the budget and the notification date. I think that there certainly was some great, good thought put into that.

In regard to the dual funding issue, we need the money if it is a bilingual student to deal with the language problem. We need the money to deal with it if there is a reading problem, and if there is a math problem, with that same student. Those districts that have those students are the ones in greatest need.

If there are any questions, I would be delighted to respond.

ASSEMBLYMAN PALAIA: Madam Chairman, may I?

ASSEMBLYWOMAN GARVIN: Yes, Assemblyman Palaia.

ASSEMBLYMAN PALAIA: Dr. Goldman, as a retired elementary school principal after 33 years, as of September 1, I can appreciate what you are saying about drawing a line with the testing. The test results come out -- I always found in all those years -- the best criteria I found was teacher judgment, which too often was not utilized. But I know that as an administrator all those years in a school, that it was one that I gave a very high priority because no one knows a student better than someone who is with him five, six or seven hours a day, and that is the teacher. I always gave that very top priority.

DR. GOLDMAN: I'm sure the teachers appreciate your saying that. And also I want to say, in all due respect to my colleagues at the State Department of Education who are also in the room today listening to what I am saying, I don't want to give the impression that they are not in favor of something like comprehensive assessment. They are. I mean I don't want you to doubt their motives. Our problem is in implementation. The problem, as I said earlier, is that the districts that need the help the most have the resources the least to conduct this kind of comprehensive assessment. If I am talking to a teacher in Paterson who has 39 students in her class, that is the problem. So, you know, we may be participating in some ways also in terms of making those arbitrary lines on computer printouts.

ASSEMBLYMAN PALAIA: I have nothing else.

ASSEMBLYWOMAN GARVIN: Okay. I have a question. How would you recommend that those of us in Trenton who are responsible for quality education, and we have the law on the books that has to be implemented -- how would you recommend on a statewide basis that we develop the process for implementation? In other words, if that is the problem, then what is your recommendation because there is a legislative role? On your comment about the Commissioner, I think I should let this audience know I have had several meetings with the Commissioner. I have had great respect for his thrust, but I think the honeymoon period is lasting too long. I think we need firm leadership and direction. We cannot wait in the educational process but so long. The Commissioner has sent a representative here for this public hearing, but one of the things I would not like to see my Committee do is to confuse its responsibilities with those of the Commissioner. There are two distinct responsibilities. For your information, I have been asked not to have hearings, and I resent that request because we, as legislators, must do what we are charged to do and the Commissioner, on the other hand, to do what he is charged to do. At some point we interact, and I think that is why I wanted the hearings and I'm glad the Commissioner's representative is here because as a new Commissioner, to me, in whatever decision he is going to recommend, I think he will have more information from his representative attending these hearings because you cannot, as a Commissioner of Education in this State, make decisions impacted on the State isolated from the people that it is going to affect. That is no way to run a government. So, you must know that we have a responsibility and one of the things is that I have one of the most marvelous committees -- and I am sorry all of my members are not here. I think of all the committees of the 21 standing committees in Trenton, I think the Education Committee on a bipartisan basis is one of the finest committees that you have, as far as people caring about kids.

Therefore, in no way will I wait for a Commissioner who has another responsibility. We must proceed with the legislative thrust. Oh, by the way, the Commissioner did not make the request. I have had the request from other entities not to hold the hearings until we see what the new Commissioner will recommend. Hopefully the hearings will impact on whatever recommendations come down because you as a people would have had an input in that decision.

DR. GOLDMAN: I think you are to be commended for starting the open public dialogue, and all I can do, to refer back to your question, is to recall that eight years ago when we started the T&E dialogue, there was an easy flow of communication among legislators, the Administration, the State Department of Education and the educational organizations, in terms of building some of those blocks upon which we had hoped T&E would be fruitful. You had people like Steve Wiley - a tremendous, tremendous contribution to the writing of the law and to subsequent, you know, deliberations dealing with the code and things like that. It was an open process. The gentleman sitting to your right (indicating Mr. White) sat in at many, many sessions at Rutgers, at the State capitol, and so on, where people sat around the table, exchanged views and information and things like that. When that communication broke down because people started getting into turf guarding, that is when the problems arose. I can see, and I have every hope knowing a little bit about the Commissioner in terms of how he operated in his districts before he came to Trenton, that he is interested in collaboration, he is interested in cooperation,

and in bringing people together for that kind of consensus. Hopefully, those kinds of decisions can be made free of partisan politics, and even free of partisan politics when it comes to State dollars. I think that's where it's at, if we are all committed to the kids.

ASSEMBLYWOMAN GARVIN: Okay. I have another question. How would you establish a statewide test then for us to implement the high school graduation standards? That is on the books, and our kids are going to have to meet those standards. How would you recommend the State implement, so that our young people have some method of support so that they may succeed? How would you do it?

DR. GOLDMAN: I suspect, Mildred, you are talking to the wrong person on that one, but I will give it a shot. As you know, we supported during the debate of the Feldman bill on high school graduation that the testing itself be locally determined, but that the State play some role in terms of signing off on the quality of the testing and the standards that were being set locally. Not being able to achieve that, the Association participated in designing a system where at least the student would be given a fair shake later on in terms of comprehensive assessment if they continued to take the test over and over again. You have some major problems with the high school graduation test. The Department people are very much aware of it. They are in the forefront in trying to resolve those problems. You have two major problems there. You have the problem of due notice because you are dealing with the property right of the student. You are dealing with his or her diploma and, if you deny that student that property right, how do you give that student sufficient notice as to what that test is going to be all about, in terms of what they are going to be tested on?

Currently, the dust has not settled on that issue because the Deborah P. case in Florida, which was taken up by a group of advocates on behalf of minority children in that state -- they are still arguing that issue. And there is that concern at the State Department of Education level. In addition to that, there is another problem and the dust has not settled on high school graduation testing from the State level, and that is the issue of what's called "instructional validity." Whether you can actually prove what the kid is being tested on was actually taught in that classroom -- and the dust hasn't settled on that yet as to how you can go about doing it and proving it. And the State Department people are vitally concerned about that, but because it is in law, they are moving ahead with the test.

We are in contact with people of national reputation in the area of testing and what we could do, and what we would hope to do, not only in the case of the high school graduation test, but also in the case of the compensatory education program, is to come up with some very viable, positive solutions as to how it can work. I would look forward to working with the Committee and with the Commissioner on that. As late as last week I had a meeting with one of our consultants on that issue. We are working on something. There is a committee at NJEA that is very much interested in this for many reasons. Obviously, our commitment to compensatory education represents a lot of money going to the schools, and we would like to see that money continue to flow.

ASSEMBLYWOMAN GARVIN: Norm, you are aware that there is \$900,000 allocated in this bill. Are you aware of that?

DR. GOLDMAN: Right. Our experience has been that that approximates what we call "the tip of the iceberg" to run the State testing program. In other

words, when you take the salaries of personnel, and you take the basic contract that goes to the test developer, plus in this particular case you are going to be dealing with the language test which has in it the costs of correcting it through the holistic scoring method where we have to employ readers to evaluate the material, you are talking about easily three-quarters of a million dollars. We did not interpret the nine hundred, whatever it was, in the bill as the amount that would be needed for the remediation because if it is a good program, and if we give the districts money for reading, math, bilingual, and all those needs, it will certainly cost more than a million dollars.

ASSEMBLYWOMAN GARVIN: But, Norm -- in other words, we were spending, if my memory serves me correctly, \$700,000 for minimum basic skills.

DR. GOLDMAN: Two tests, right.

ASSEMBLYWOMAN GARVIN: And the figure in this bill, for those of you who do not have the bill, is \$900,000. What I would like to say is that, and I am not for minimum basic skills but I am -- I guess I am about some measuring mechanism dealing with motivating both teachers and students in the learning process. The reason I introduced this bill is because something exciting took place in many classrooms because of minimum basic skills. Something happened to the students; something happened to the teachers; and, something happened to the parents. And, when it was eliminated during the Joint Appropriations process, I was spastic --

DR. GOLDMAN: Right.

ASSEMBLYWOMAN GARVIN: -- and I am not dealing with whether it should be minimum or maximum. I'm not hung up with that. I am hung up with a tool that this State should have dealing with our students and reducing the illiteracy that presently exists in our high school graduates. That is the intent of the bill. The bill is not written in cement, don't misunderstand me, but I did want to make note of the \$900,000. It may be a valid figure, or it may not, but at least monies were included in this bill for the purpose of implementation and it was more than what we had allocated for minimum basic skills.

DR. GOLDMAN: Which is great because it is a commitment which shows that you want to do more with this program than what has gotten done before. Let me say this -- you know, I don't get an opportunity to say this very often because the media appears to print us as being anti-test. Representing most of the teachers of this State who are the test users, you know the test consumers of the industry, we rely, of course, a great deal on tests and we will continue to rely on tests. We make the plea that a decision should not be made based on one test. Let me point out the issue of the enthusiasm and the esprit de corps within the school, and so on. We are very much interested in that. Over the last two to three years, the Association has been developing a program based on research -- school effectiveness research, called "school effectiveness training." We go into the school and we take out the teachers, the cafeteria workers, the parent leaders, the school board members, the administrators, and for three days we take them away and we tell them what research says about what can be in that school. One of the components we talk about is evaluation. We do not run away from the issue. What we're saying is the evaluation is done best closest to the child, closest to the school, closest to the parent, and to get those parents ignited and excited about those kinds of issues, and it is meeting with success. Our problem is when it is a test score that is coming in from Trenton that is deciding, you know, how the school is going to be

classified, how much money are you going to go either way -- you know, I can tell you more stories about districts, and I don't fault the districts because they want the dollars, they need the dollars. As you know, in the compensatory education program we were only giving the State test in grades three, six, nine and eleven. On the other grade levels, we were using commercially prepared tests, and districts would use those test scores to generate the funds from Trenton. Well, at one point some of those districts were calling up the State Department of Education asking if they could switch to a tougher test in order to generate more money. Now, you know when that starts driving your system and you have more kids failing a higher level test and you have that debilitating affect -- that is a very sad situation. We want to avoid that. We want to get the most out of those kids. We want to be supportive to them and to their parents, but we do not want testing being used as a club over their heads. That is our problem, but it can be used, is what I am saying. We look forward to coming to you with some specific proposals in that regard.

ASSEMBLYWOMAN GARVIN: All right. I see a hand, and I'll let you come up. I just want to make a comment. I have not developed the bill without an awful lot of thought, a lot of research, and a lot of experience, and so you are helping me. But what are we going to do with the \$64 million the State allocates for comp ed? What measuring tool can we as a State have to justify distribution of \$64 million?

DR. GOLDMAN: I would like to reassure you, Assemblywoman Garvin, that there is a method. We are examining the way in terms of how that can happen where there is evaluation -- you know, that kind of assessment of the test results and things like that. We are concerned, for instance -- the last time we lost money in comp ed before the current Administration was not because the Governor or the Legislature cut back on the dollars. It was because of the Commissioner of Education, our former Commissioner of Education, and now it is that the test scores have gone up, and we didn't need \$8 million more. Now, the point was the test scores may have gone up for one reason or another -- and that is probably the subject of another hour of discussion, and I would love to share that with you. But the point is, as those test scores went up, I'm sure some of your colleagues in the Legislature were saying, "Oh gee, they don't need more money in Jersey City, Newark, Paterson or Camden." On the contrary, they need more money for the job that they have to do. You see, that is the risk that you run. But at the same time, obviously, we are concerned about that money going into those districts for programs and for staff.

ASSEMBLYWOMAN GARVIN: Mr. Downham, do you have a comment at this point? Would you come forward? It is informal. Is your comment based on his testimony, or is it additional?

MR. DOWNHAM: Yes. I think it is something that might help.

ASSEMBLYWOMAN GARVIN: This is Mr. Downham from Washington Township. He testified before and I am giving him the privilege of the chair again.

MR. DOWNHAM: I think we have to be very careful also -- I'm looking at the first paragraph in your statement. I think we have to be careful that we don't shortchange some of the great efforts that have been involved in the classrooms by individual teachers. It appears as though in this particular statement that an assumption is being made, that because we have been giving a test of this

particular nature over the past "X" number of years, that we have not encouraged teachers to seek excellence with their children. I'm reading the new program will cover both basic skills and higher level skills in order to encourage school districts to seek excellence. Then, looking at the next sentence, or the next part, "rather than continue to stress minimum skills." When I look at the score, for example, the score as you look at the test items kind of represents the minimum, but the test items themselves are supposed to reflect a typical third grade curriculum, sixth grade curriculum, ninth grade curriculum, eleventh grade curriculum. Again, what I am trying to say is that an awful lot of teachers throughout the State of New Jersey have been using the test information to seek excellence, whether or not they have decided to, you know, to zero in and simply teach minimums. We have to be very careful with that language, I think, with the taxpaying public. It is what the teacher does with the information. The minimum is the cutoff score. Test items should reflect the curriculum.

ASSEMBLYWOMAN GARVIN: Okay, thank you, but I think -- Norm, I would like to thank you for your excellent -- you can stay there. I don't mean to cut you off, but I would like to thank you for your excellent presentation and information. Now, Mr. Downham, it is your floor. I don't like to cut a person off that way. I think you are reading from the statement, and I don't know if this is a new process to you, but be a little better educated after this hearing in that a statement tries to summarize the content of the law, if you will. So, therefore, I am usually very careful when people talk about the statement because the statement is a summary-laced statement of the legality of the bill. Therefore, it does not in itself become law -- just for your information. In further reviewing, you may all write any comments you may think of later because I am not moving this too rapidly. You may address the page or the section of the bill with any of your comments.

All right, see the statement is a summary statement and sometimes we really get in trouble in Trenton when a person is dealing with the statement and not the content of the bill.

ASSEMBLYMAN PALAIA: That's true. In fact, if you look on the first page of the bill under Line 5, it says, "The commitment to educational excellence compels us to emphasize not only the basic skills but to nurture the higher levels of educational performance in reading, writing, and mathematics throughout the public schools of the State of New Jersey." Assemblywoman Garvin is correct.

ASSEMBLYWOMAN GARVIN: Section 1, Line 5.

ASSEMBLYMAN PALAIA: That is where your point comes in, Mr. Downham, and that's true what you are saying.

MR. DOWNHAM: I just wanted to make sure that we don't all of a sudden blast the teachers for the great job that they have been doing, because a lot of good teachers -- a lot of teachers have been using these results to seek excellence and have really helped an awful lot of kids.

ASSEMBLYMAN PALAIA: Agreed, there is no question about it.

ASSEMBLYWOMAN GARVIN: Look, let me tell you -- Norm has worked with me, I guess, several years. Nothing about this bill has to do with blasting anybody. It is trying to do what we as a State has said by law is responsible for doing and to develop a system for doing it that would be good for our young people who we are responsible for. I don't want that to come up this morning because it is

in no way -- in no way was the bill developed to blast or attack teachers. That is not what it is all about.

MR. DOWNHAM: And the gentleman who spoke just before me -- I applaud what he is saying concerning a broader definition of basic skills. But I think we also have to recognize that it is very, very difficult to measure speaking and listening. I applaud the effort for you to include the writing skills. When I look at the next sentence, the statement that addresses higher level skills -- we're talking about the kinds of things that are usually included in the program for the gifted/talented, high analytical skills, synthetical skills -- giving children an opportunity to evaluate their particular products and to justify and defend the products. To select those kinds of test items that are going to measure higher level thinking skills is a tremendous challenge. I applaud you for taking this on, but boy what a challenge it is going to be, and I wish you all the luck in the world, and also as you expand the comprehensiveness of the basic skills definition to include the listening, speaking and writing. I think you are right on target, quite frankly.

ASSEMBLYWOMAN GARVIN: Thank you. John, do you want to introduce our next speaker?

MR. WHITE: Dr. Eugene Keyek, Superintendent of Audubon Public Schools.
D R. E U G E N E K E Y E K: Good morning. I am Dr. Eugene Keyek, Superintendent of the Audubon School District in Camden County. I thank you for the opportunity to present to you my concerns and recommendations pertaining to the testing phase of program evaluation.

I might digress for just a moment to give you a brief background so that you will understand that over the past twenty some years I have had an opportunity to serve as a teacher, a principal, and a college professor. I worked for the New Jersey School Boards Association in Trenton, and am currently serving as a superintendent. In each of those phases of my career, I have had an opportunity to discuss at various levels, probably the most controversial issue that exists in education, and that is evaluation of the student and evaluation of the program. Norm Goldman and I sat on opposite sides of the table many times when I worked for the School Boards Association. However, I think many of his comments should be considered by the Committee and I support many of the proposals being submitted by NJEA.

It is not my intent here to try to change your mind about the validity of utilizing a single test instrument as a major vehicle of program and district evaluation. My concerns must be prefaced by a number of givens, since they directly affect the operation of the school district. Possibly the most important is, what is the purpose of an evaluation system? Now, what is the purpose of the evaluation system as defined in the proposed legislation? If we accept that evaluations can be used to critically judge the worth of whatever schools teach, they aid in structural planning, they determine the relative worth of new approaches, and they facilitate the formation of instructional materials and procedures. These are all educationally oriented. However, I am also a pragmatist, a realist, that some other purposes may be politically motivated, and while one must be pragmatic enough to accept the human cry for accountability, the simplistic response by establishing a single evaluation instrument as the basis for accountability is contrary to all research on the subject.

A second given which must be considered is the fallacy of the reliability of the single test instrument. This single element is affected by a multitude of variables, out-of-school factors such as family, environment; school input factors, the number of staff, qualifications of staff, facilities, and even such a minor item as student attendance; and, school environment. I think that Norm referred to this in the effectiveness of the school -- the patterns of authority that exist, the type of principal we have, the expectation, school organization, and student participation. And, finally, the teaching/learning process. What is being taught? How is it being taught? How effective is it? To utilize the results of a single instrument as the basis for making educational, economical and political decisions does a disservice to education in New Jersey. There must be a more comprehensive response to the evaluation process which considers all the goals of a district, rather than basic skills alone.

A concern that I have is primarily that there are 13 or 14 goals established. Many of these goals will not be measured by this individual test. Many of these goals are as important as basic skills, so what I feel here is that what we are doing is moving away from the evaluation of the total educational program. It is apparent that legislators and bureaucrats have been aware of these concerns about testing for years, and still feel compelled to respond to the political realities. I accept the political realities; I deal in political realities every day. If this is the case, then consider one specific recommendation. Utilize the current, commercially-developed norm reference test, rather than attempting to reinvent the wheel. Use these tests until we come up with a comprehensive, acceptable evaluation program. The rationale for this recommendation is based on a number of factors.

First, the universal acceptability of such achievement tests as the Iowa Test of Basic Skills, the Test of Academic Proficiency, the Stanford, the Metropolitan -- they are used throughout the country. Secondly, many districts currently utilize such tests, thus the State-mandated tests duplicate efforts. Third, a concern I have is the loss of instructional time to excessive test taking. No matter how you do it, if you take the ninth grade out of a program to test the ninth grade, you affect the total operation of the school for that day. Ninth graders do not move in blocks, so that affects everything we do. Eleventh graders do not move in blocks, so it does affect, once you establish a day for the State-mandated testing.

Fourth, cost factors for test development could be utilized in other programs. Facetiously, I will take some of that \$900,000 that you have set aside -- if you will give me \$100,000 for a pilot program in program evaluation, I would be very happy to assist the State Department in any way.

ASSEMBLYMAN PALAIA: That is very generous of you.

DR. KEYEK: Yes, I'm only taking \$100,000.

ASSEMBLYWOMAN GARVIN: I'm not going to give up the kitty. (laughter)

DR. KEYEK: Fifth, the results of norm reference tests can be tied to equivalent statewide standards. Now this is evidenced -- again, I think Norm referred to this. A memo from the State Department of Education dated June 10, 1982 -- and this is a revised list of State Standards for Minimum Proficiency in Communications and Computation. What we were given to do was to take those grade levels where we didn't test and they were able to extrapolate the scores and come up with a minimum standard. Now, I have no doubt that given all of the talent

that we have in statistical research, that we can't do the same thing. Sixth, and perhaps one of the greatest things I find in the school district, is a greater acceptance by staff and students for the commercially-prepared norm reference test. The basic skills approach to the State test is regarded as a test of mediocrity, both on the part of the staff and on the part of the students. I find that our students do not take the basic minimum skills test as seriously as they should. Now, all of these tests that I have mentioned meet the criteria outlined on Page 1 of the proposed legislation, where you ask that, "any Statewide testing program shall include the following," and it lists the five areas. It is my belief that any given, reputable, commercially-prepared norm reference test can provide data in response to your questions that you gave to Norm about a ninth grade test. How do we determine this? I think that that can be done with a commercially-prepared test.

I respectfully petition this body to consider the adoption of legislation which recognizes the current body of research and that current body of research indicates that we should expand our attempts at the evaluation process, the current utilization of widely-recognized norm reference tests, and a willingness to allow the local district the option of selecting the evaluation system that best meets its needs.

I thank you very much.

ASSEMBLYWOMAN GARVIN: Thank you. Assemblyman Palaia, do you have any questions?

ASSEMBLYMAN PALAIA: No.

ASSEMBLYWOMAN GARVIN: Well, I have one, and it has to do with your statement dealing with duplicate effort. In all honesty, I don't think students really know the difference between the State test or the California, and I think that is an unfair statement because I do not think if we were to do -- and I wrote a note to myself just to try it out for size -- I wonder if students know what tests they are taking. You know, it is just sort of a new thought that I have problems with, but I think we are not in anyway saying that other tests -- this bill is not saying that other tests cannot be used in dealing with the performance of a student. This is relating to the State's responsibility as described by law. So, this State test does not in any way eliminate other tests from being administered. I just wanted to make that clear.

We have with us Dr. Steve Koffler. Steve, could you respond to a valid point he made for clarification? Would you mind coming forward? Steve is from the Department of Education and he is one of those statistical, knowledgeable individuals. I would like you to share with the Committee for the record your thoughts on his statements dealing with the chart that --

D R. S T E V E K O F F L E R: -- correlating the test.

ASSEMBLYWOMAN GARVIN: -- correlating the test. Would you mind sort of clarifying that for us? Thank you.

DR. KOFFLER: Certainly. The commercial tests are different in some respects. They all measure reading and mathematics; however, the types of skills that are measured by those tests may vary. For example, some tests may stress fractions, while other tests may stress decimals. To that extent the tests are not equal; they are not equivalent. Therefore, one score on, for example, the California Achievement Test, may not be completely equivalent to a score on the Iowa Test of Basic Skills. They both measure reading and math, but again they are

measuring different aspects with different stress in those areas. Because of that, as I said, they cannot be -- the scores cannot be made equivalent. Dr. Keyek was absolutely correct; we do, for purposes of remediation from a statistical point of view, try to equate the scores on the California tests with the Iowa test, with the Metropolitan test, with the major commercial test. However, from a statistical point of view, there is ever involved in those, whenever one tries to equate tests, especially tests that are not completely equivalent -- so, the chart that he has is to be used by the school districts as bench marks. As Dr. Goldman was saying before, the Administrative Code requires that the school districts use multiple measurements. They certainly should not be placing the child in a remedial program only on the basis of the one test. That is especially true for the use of this chart, and with different districts using different commercial tests. Since there is error involved in those scores -- in trying to make equivalent those scores -- the possibility exists that there are mistakes made. For example, if the chart were to say -- I use this as an example, I do not remember the actual numbers -- that a score of 64 on the Iowa test is equivalent to a 65 on the minimum basic skills test or a 70 on the California test, that may not be entirely true -- entirely accurate -- because of the statistical error involved.

For purposes of placing a child in a remedial program, I do not believe there is that much of a problem in using those bench marks because if an error is made, it is not irreparable and the teacher using multiple measurements, or the school district using multiple measurements, can correct the error. When one talks about denying a child a diploma, I think the error involved there is much more grave and much more serious, and I think the margin of error has to be -- there has to be a smaller margin of error. I would be very concerned if we were to deny a child a diploma because he or she took one test rather than another test, and we, through statistical manipulations, attempted to say what score on what test was equal to what score on another test.

ASSEMBLYWOMAN GARVIN: Thank you for that clarification.

DR. KEYEK: I would like to respond to Steve, very quickly. What makes it so different that someone in Trenton is going to decide whether or not that's the marginal statistical difference, or whether someone at the Iowa test center in the University of Iowa is going to make that judgment. There is no difference between -- if we are going to use a test, then what difference does it make whether it is a test generated by someone in Trenton or by a conglomerate that is contracted to develop the test? It still may not measure everything that is being taught. Only I at the local level, and the teachers at the local level, and the administrators at the local level may be able to say that that is a fairly reliable test because it does test what we are teaching. There is a broad-based body of knowledge that is taught at each grade level. It doesn't really make any difference. We're kidding ourselves if we don't think that we use textbooks in every school district in this State. Textbooks generally follow a pretty sequential pattern all the way through the grade levels. There are certain skills that are taught at each grade level. The Iowa test, the Metropolitan, the Stanford -- they all test those skills. It is not difficult for Steve or anyone else at the State Department to do an item analysis and say that given the response and these item analyses -- given the response and this kind of statistical maneuvering that I can get a responsible result for every district in the State.

My concern is why do we need a State test? If it is in response to a piece of legislation, fine, again recognizing the cry for accountability. I have no concerns with accountability. My concern is that it is another test which I feel is (1) a waste of time; and, (2) a waste of dollars. My final comment would be in response to the students taking the test. I think you do a disservice to our students. Our students know when they sit down to take the MBS test and they get halfway through, and they look at it and say, "This is a snap. There's nothing to this." After a while this total attitude permeates the school. It's MBS time. I would not want to tell you what the usual definition of MBS stands for in our particular district.

ASSEMBLYMAN PALAIA: I have a pretty good idea.

DR. KEYEK: I would hope that the Committee would consider not going through the entire process again. Thank you.

ASSEMBLYWOMAN GARVIN: Thank you very much. We'll now have our next speaker. Well, we'll have to change those initials. (laughter) I have never heard that implied before. Make a note, we will change those initials.

MR. WHITE: Mr. John Dougherty from Educational Improvement Center-South.

J O H N D O U G H E R T Y: Thank you. Speaking now as an evaluation specialist with EIC, and having done for the past five years a lot of workshops and services consultations and all sorts of things on testing in school districts -- I'm speaking from that perspective -- I am in favor of A-1785 because I believe the emphasis of the program will be on improving the schools. I believe you have to have evaluation to improve the schools. I also believe very strongly that schools, like anyone else, any organization or person, need third-person evaluation. Third-person evaluation is what we might call a second opinion. I do not believe that self-evaluation, although it is good, is enough. You have to have some kind of outside initiative and in this case, from State government, I think that is the right place for it to come. I think there is a difficult policy question here which each speaker has addressed. How much intrusion do you want from the Department of Education or from State government into this process? I think that is a tough question.

I have no trouble at all with a statewide test measuring comprehensive achievement because I can tell you from personal experience, and I don't say this critically of the school districts, but the way in which standardized published tests are chosen by school districts in this State, and in every state I worked, and I have worked in a lot of them, is not good. My experience has been that standardized tests are selected by school districts on the basis of salesmanship and packaging, not on the basis of curriculum validity. If curriculum validity were the issue, we would not have five of about 50 commercially-available tests cornering about 95% of the market. For example, the current issue of the California Achievement Test, the 1980 edition, is selling very well because it is beautifully packaged. It is packaged like a box of candy.

I think the leadership issue here is really important. I believe, as I heard someone say, that the MBS, even though there are problems connected with it -- there are problems with any test. It was an incentive. An awful lot happened out there in the school districts because of that test that probably would not have happened. True, it did have the effect in many cases of maybe focusing the curriculum on minimum skills and it was perceived in a lot of places -- and I have people who used to argue this with audiences. At the time I was wrong. I

thought it was not perceived as a standard, but in many cases it was. The perception in a lot of districts was, if we meet this low standard, that is enough. That is all they want. That is why I think this expansion to a more comprehensive assessment is great. This is leadership, and this is what I believe districts need.

I think, however, in addressing the policy issue, this bill would expand the testing prudently. I think to go to major areas of the curriculum, like high-level problem solving and things like that, it would be too much. Districts would perceive it as compromising local control, and there would be unnecessary problems, whereas this is a prudent extension concentrating on the really critical areas of the curriculum. When I read this, and when I read the original bill, my perception is, the legislator says to the Commissioner, "How are the schools doing? We need to know." Now, the Commissioner could come back and he could say, "Well, we'll send out 635 questionnaires and we'll ask them to check off -- we're doing well, we're doing fairly -- we're doing poorly. We'll get back to you."

The Legislature would not accept that, obviously, because that much discretion left to the person evaluating himself might give you unreliable data. So, you get the second opinion, or the third-person evaluation from a valid State test which gives you data which I do not think is terribly intrusive, and which has a chance, maybe, of being more valid and more related to the curriculum than the standardized achievement tests do. Having done lots of workshops with group selecting, I can tell you they are all different. The crossover from one to another does not exist. Even when you have anchoring studies, as was said, the amount of measurement is not acceptable. You simply cannot go from the Iowa test in the fourth grade to the California in the fifth grade and expect to get any kind of reliability in the data that gives you.

A comprehensive State test, I think, at this point is being done in a lot of places. As I tell groups that I work with on this kind of accountability legislation, this is not just another trend in this business. This is the basis of a need for State legislators and the public to know what is going on, how are we doing and, especially, how are the kids in this district doing in relation to all the other kids. I think this is the best way to get that. I would have a lot of reservations about saying that we are going to have a set of criteria and we are not going to have a State test. We're going to go around to each district and ask them to set up their own internal testing program, and have a sign-off on that. I would hate to have the job of signing off to 635 different evaluation systems. That would be tough. I think that you would get questionable data on something like that, whereas with this kind of an effort, I believe you would get good data and I think that is very important. The point always comes up, every time I get into a discussion of testing with a group, or with a workshop, how can you summarize the child with one test score? Obviously, you can't. You need multiple measures. But here we are talking about improving schools and providing the State with an accurate assessment of the performance of a school. Now, when you get an assessment of the performance of a school or of a district, you have larger amounts of data. It is not the same as one score on one kid.

It is often true that imprudent judgments are made about kids sometimes on the basis of one score. I don't think that is what this bill is about as I read it. You are talking here about judgments that might be made about a

whole school, a whole district, in comparison with others. I don't think there is anything here in the language of this that relates really to the abuse of drawing a line on a printout, as someone said. That is another issue, and that is going to happen anyway, no matter what kind of testing you have. If people are going to do that, they are going to do it. This is designed to give you data about schools and districts, and about the entire State, and to provide that kind of data that can be used for improvement, and I believe it will do that. It has done it in the past. I guess that's all.

ASSEMBLYWOMAN GARVIN: Thank you. I have just one question. Are you aware at all about the increase in cost to local districts as it relates to the salesmanship of various tests? Has anyone attempted to deal with that issue -- that the costs that local boards have over a period of time expended based on the rising costs of certain testing companies?

MR. DOUGHERTY: I don't know that anyone has done a study, but I am definitely aware of the cost that is involved in the multi-million dollar testing industry, of the way most of the decisions are made in the selection of these tests, and in choosing to have them scored in a certain way. I would say that most of that money is not well spent because I really don't see many districts using that data wisely, if they use it at all. Frankly, when I do my workshop on standardized tests in a district, the first thing I ask the audience -- I'm talking now about both administrators and teachers -- the first thing I say is, "What is the test in your district?" I'm checking to see if they know. The second question I ask is, "How was it chosen?" That is always the tough one. No one knows. "It was here when I got here."

The reality is that they are just not well chosen. I think people spend more time shopping for groceries in the supermarket than they do on these tests really, in almost every case.

ASSEMBLYWOMAN GARVIN: Mr. Dougherty, this is why I have supported the EICs over the years because I think they have been dealing with the needs the school districts have for information of this sort. I guess I'll let this record show that I am at odds with any cutback of EICs, and the Department members that are here can take that message back, and you may take it out of this testimony. Okay, Mr. Dougherty, thank you very much. Are you going to stay around in case we have questions?

MR. DOUGHERTY: Yes.

ASSEMBLYWOMAN GARVIN: Thank you. John?

MR. WHITE: Mr. Fred Young, Director of Curriculum, Hamilton Township, Mercer County.

F R E D Y O U N G: Thank you. I would like to ask for a clarification first from the Committee members, if that is at all possible, so that I can speak within the context.

ASSEMBLYWOMAN GARVIN: You may ask of the Chairman.

MR. YOUNG: Yes ma'am. The question I have is, there is a reference in -- I do have a copy of the proposed legislation -- there is a reference to matrix sampling. Could you explain that briefly to me?

ASSEMBLYWOMAN GARVIN: Okay, what page are you referring to here? You are probably talking about Page 2, Line 3 (a.), "In grades 3, 6 and 12, on a matrix sampling basis;"

MR. YOUNG: Yes.

ASSEMBLYWOMAN GARVIN: All right. John, do you want to respond?

MR. WHITE: Matrix sampling is to make sure that we cover all of the items needed to govern the curriculum with a limited budget for statewide testing so we can cover the total range of skills, but we don't have to test every kid to get at all the skills. Otherwise, it would just be impossible -- it would be a terribly expensive way to do it.

MR. YOUNG: Thank you. That gives me the context which I needed. The proposed testing program is an extension of the old EAP and the current MBS system, and what I would like to indicate is that when the EAP program first came out and when the MBS program which replaced it first came out, the proposal was that this was a student-oriented program, that we would get test data on individual students and could address their individual reading and math needs. With the matrix sampling and with the direction for the future, the concern I have is that we will now be talking about how effective -- and this gets into the classification category -- how effective the school is and how effective the district is.

Now, I would like to briefly digress for a minute on what our district is doing in test and evaluation, which I think speaks in opposition to the representative from EIC who seemed to be downgrading what districts are doing in terms of program evaluation. The concern I do have is that we will have a system that speaks to classification, and not to individual students, and I do think that is in opposition to what we are currently working with. For example, --

ASSEMBLYWOMAN GARVIN: Mr. Young, would you please address the bill?

MR. YOUNG: Yes, I am. The matrix sampling proposes that there are a hundred items on a test and that we will have four students individually tested on 25 skills each, so that we cover all hundred items -- that is what I am getting from what Mr. White said. We'll have a hundred items; we'll have four students take 25 of those items. We cannot have them all take the hundred items, so they will take 25 items from that hundred-item list. We will then indicate, on the basis of that data, that the school and the district are teaching specific skills, regrouping, whatever division, and so forth.

What I am hearing is, again, in opposition to the current system. It is in opposition to standardized achievement testing, which gives the same test to all the students to measure the skills that they have. Our standardized achievement testing program does not have a system which says we will test some students on regrouping, some students on division, and some students on -- and I'm talking about within the skill of measuring, because there is a level of sophistication that we are talking about beyond minimum skills. So I see that there is a major change in the format of the testing that we are not currently engaged in.

ASSEMBLYWOMAN GARVIN: Okay, you may go on.

MR. YOUNG: I do agree with the inclusion of the writing component if that is a major thrust, and it seems to be. The concern I do have is the extension of the program, and I would like to ask another question if I might. Is there rationale for testing in 12th grade, and what is that rationale? It talks to 3, 6, 9 and 12. We tested before 3, 6, 9 and 11.

ASSEMBLYWOMAN GARVIN: That is referring to the graduation high school standards that the 12th-graders now have to comply with in order to get their high school diplomas. We have to have some way to determine whether that

young person will get a diploma or not. That is what that alludes to.

MR. YOUNG: So the 9th grade test will no longer be the indicator, as it is now? If a student passes the 9th grade --

ASSEMBLYWOMAN GARVIN: It will be indicated as it relates to what remediation may be necessary for that student, who then has to pass the test to get the diploma in the 12th grade.

MR. YOUNG: The current system talks to a student who fails the 9th grade reading or math section, now takes it in 10th grade, in 11th grade, and in 12th grade until that student passes. Am I assuming that that will continue?

MR. WHITE: Yes.

MR. YOUNG: And in addition, all of the students will take 12th grade, or only those students who failed the 9th grade test?

ASSEMBLYWOMAN GARVIN: -- who have the need. That's right.

MR. YOUNG: Will the 12th grade test be given in the Spring or in the Fall?

ASSEMBLYWOMAN GARVIN: We didn't set a time in limit in here because we're dealing with not compounding a law that is already on the books. Do you understand what I am saying? We didn't want to do the bill in such a way that we are either destroying or interfering with one that is ready for implementation. So, it's kind of a, you know, --

MR. YOUNG: I would just like to give you some experience input from New York State which gives a graduation minimum competency test in 12th grade. They give it in the Fall, so that the students have an opportunity, if they fail that test, to get some tutoring to pass it in the Spring. If you give it in the Spring, it will be much too late, and I think useless.

ASSEMBLYWOMAN GARVIN: That is a good recommendation. I have no problem with that.

MR. YOUNG: I would like to indicate that in the districts there is a tremendous amount of consternation with the change in format of the testing all the time. In the EAP program, we had grades 4, 7 and 10. We had a district testing program which we then changed to accommodate 3, 6, 9 and 11. This year we are doing grade 9, next year we will do 3, 6, 9 and 12. Our understanding from what the Committee had talked to was that in lieu of a MBS test, there would be something forthcoming and that is what I would like to speak to directly now -- there would be something that would indicate students' minimum competencies, but would also address excellence. And what I am indicating is that the testing program -- and I will not reference our standardized achievement test because I do not want to give a plug -- but I think that our standardized achievement testing program is a program which measures minimum competency, has measured minimum competency, and also measures excellence. We use that test data, for example, for preliminary placement in the special education programs and, also, in our gifted/ talented program

Our program is quite extensive. We test all students every year in grades K through 8, and 10th grade. The only reason we do not test the 9th grade is we have the 9th grade MBS test currently. My personal feeling is that to duplicate the effort that districts like our district is involved in, is to make unnecessary work and is to make unnecessary expenditure. What I would like to ask you to do, is to consider some flexibility in terms of districts that already have mechanisms in operation -- of being able to present test data to you -- because the

State currently gives minimum levels of proficiency on the standardized achievement tests. They have done that in the past, and I would imagine they will continue to do that, so that a 34 percentile on a certain test, or a 26 percentile on a certain test equals a 75% on a MBS. And I am only addressing minimum competency. But we get rosters from our testing company which indicate the lowest percentile the student achieves to the highest percentile. They rank in order in both reading and math. We use that for program purposes in our district.

What I am indicating is that the MBS data and the data from this program would not assist us at all in terms of program improvement, program evaluation or placement of students. We have that information already. All I am suggesting is, it may be possible that districts that already have that can submit that information in lieu of the MBS testing. It would seem to me that, I don't know -- you asked a question about the financial impact of the money spent in the State of New Jersey. I also think it is important to find out how many districts in the State of New Jersey currently do standardized testing and could possibly switch to the grades you are indicating, because in an informal survey I find that in my county most, if not all, of the districts are doing standardized testing, in addition to the MBS. What I am indicating is that districts are spending a lot of money now, and in addition there is a proposal to spend almost a million dollars to do some additional testing.

My feeling is that that money in place of the testing would be better spent, and I notice that Steve Koffler is here. He has been very helpful in terms of developing things like an item analysis -- additional data analysis to the districts that we can take and use for instructional purposes for individual students, and also for classes of students. It would seem to me that the money would be better spent there. I know that is optional right now, and I don't know the number of districts that use that service, but it would seem to me that that would be much more valuable to use that kind of service, than to do testing which the MBS tells us what we already know by our standardized achievement test. It may confirm it, but that doesn't help us in terms of improving our program.

ASSEMBLYWOMAN GARVIN: Is that it?

MR. YOUNG: No, I have a couple of other things. What I would like to indicate is that in conjunction with this proposed legislation, there is still continuing legislation on the books which requires districts to do periodic needs assessments and program evaluations. What I would like to relate to you directly is that we, as a part of our standards and measures for individual courses and programs that we have, and for our needs assessment and program evaluation, we use our standardized test data quite significantly. The MBS data, because it is at limited grade levels, is not used as much. As I indicated, we test quite extensively. The problem with the MBS also, which we do not have with our standardized testing program, is that we use both an achievement test and an aptitude test, and our testing program allows a coefficient to be published which indicates whether the student is operating at maximum level, below the optimum level, or above it. That is a better indicator for us, in terms of a remedial program or in terms of an enrichment program. This program, if we do not get the same data on each student -- first of all, that is a weakness, and the second thing is it does not indicate to us in the excellence category whether that is a true indicator of the student's potential. So, what I am indicating again is that a lot of districts use aptitude tests

to get that information. It must be important if they are collecting that.

Finally, I would like to indicate that our district expends a significant amount of money on testing and evaluation, and we also have our own test evaluation specialist who helps the districts analyze test data, both MBS and the standardized test data, so that we can improve programs. What I am hoping is that the thrust of this legislation improves individual student results and does not give information in the aggregate that does not address individual students. If it does not address individual students, we cannot improve their performance and, as a secondary result, we cannot improve the performance of an individual school or an individual district. That is the key factor to keep in mind. That is the original premise of the EAP/MBS, and I am hoping that it does not digress from the proposed purpose for the future. Thank you for your time.

ASSEMBLYWOMAN GARVIN: I just have one question. This was not intended to replace the local -- in other words, this bill is not intended to replace the local testing. This is a State responsibility.

MR. YOUNG: Right.

ASSEMBLYWOMAN GARVIN: Are there any questions?

ASSEMBLYMAN PALAIA: No.

ASSEMBLYWOMAN GARVIN: All right, thank you very much.

ASSEMBLYMAN PALAIA: Ladies and gentlemen, if you will excuse me, I have to get back up to Asbury Park by one o'clock. I want to thank you for your hospitality down here, and I think it is a credit to our chairperson that she would have a hearing down here. I know I appreciated coming down and I learned a lot myself. Thank you.

ASSEMBLYWOMAN GARVIN: Okay, Joe, thank you. Why don't we give the ladies a little break. We'll take a ten-minute break.

(RECESS)

AFTER RECESS

ASSEMBLYWOMAN GARVIN: The meeting will come to order, please.

MR. WHITE: Mr. Joseph Zavaglio, Assistant Superintendent for Compensatory Services in Atlantic City.

J O S E P H Z A V A G L I O: Assemblywoman Garvin, I guess I am a very, very poor substitute for a very fine superintendent, but I will do my best to convey at least his philosophies, and perhaps some of mine as well. I will try to pinch-hit and maybe hit the ball far enough to get to first base, if not beyond that.

I too have been in education for a long time. I served as a teacher; I served as a principal; and I am now in a position as an Assistant Superintendent and my responsibility is compensatory services for the City of Atlantic City. I have held this position since 1965, the advent of the Federal and State programs.

I was ready to convene this meeting for you when you so nicely said, "Something is happening in those classrooms." And something exciting is happening, and has happened, and is continuing to happen in those classrooms and I do believe, frankly speaking from an inner feeling, that it has been the result of many of our compensatory programs and, more specifically, the MBS.

Whether we continue along that vein or not, we would have to, at least from our point of view, say that it has been a most powerful incentive, as far as Atlantic City is concerned. I think it goes beyond the classroom too. I think it goes far, far beyond the classroom. I think it has gone to administration; I think it has gone to management; I think it has gone to the State; and, I think it has gone even beyond the State. I think the incentive and the impact that we have seen has made us all work that much better together. I think we have gotten into a true partnership between local and State that we have not had before. Many districts look upon the State as being intrusive. I think that when you really look at it, they have provided us with a tremendous amount of resource, and a tremendous amount of assistance, and a tremendous amount of help. There are about four or five people in this room now from the testing, from the EICs and from other agencies with whom we have had the pleasure and the privilege of working very, very closely, and they have given us nothing but support-- the EICs, Dr. Koffler's department, and other departments throughout the State.

We agree that there is no one single instrument that can measure a youngster's credibility, but as a doctor needs many different criteria to evaluate his patient, so do we, and the more we have the better we can evaluate. As a matter of fact, Atlantic City is proud to be involved in a multiple testing program sponsored by the State and we were selected to pilot that program. We're very happy and certainly gratified that we were selected. There is no, I don't believe, frankly speaking from my years of experience since 1965 in these programs, I don't believe that there are any local tests that have the support that the MBS or the State test can give. We urge the continuance of some form of comprehensive testing, whether it be MBS or whatever. We feel that we need some form of testing there.

Our parental response, which we are very, very concerned about, has been tremendous. The reactions of the parents to -- at least they are able to understand what we are saying to them. They have become totally involved in our programs. They understand when we discuss with them the gains the youngsters have made. They are hungry for participation in our programs, and we have initiated

programs for parents now where we introduce to them basic skills so they can work with their children at home. So, it has been a total community involvement and, as I say, it's gone beyond the classroom. It's gone into the community; it's gone into management; and, it's gone into administration. It has given us direction for administration. It has given us planning purposes. It has given us sophistication in things that we never had before. It has opened up many, many new avenues for us in terms of that -- and it is all related to the same thing.

Although we have made tremendous gains, we cannot rest back upon our laurels there because there are new youngsters coming in each and every year who must be serviced. They must be serviced in accordance with what you did in the past. We can't just wash our hands and say, "The job is over, and we can rest on our laurels." No, there are still youngsters coming into us whose needs must be serviced. Finally, speaking of that, it goes beyond those youngsters whom we are preparing perhaps for college. There are those who will be introduced to the labor force. There are those who will be introduced to the military. And they should have the same consideration as do those others.

I cannot take exception with what has been said relative to perhaps the standardized achievement test. We do give standardized achievement tests, and we do wonder whether or not sometimes they are worth it because of the fact that we are measuring our youngsters with a national population, and we're not sure that that is what we really want to do. We want to measure our youngsters against themselves, and watch their growth particularly. We feel that perhaps we have looked more to what we have seen in terms of the minimum basic skills, more so than we have with our standardized testing program, although it has been used for screening and for diagnostic purposes, and we have used them interchangeably.

Perhaps the greatest thing I think I have seen in all my years is the wonderful interpersonal relationship, the professional relationship, that has developed between the classroom teachers and the compensatory teachers, or remedial teachers. Both are working toward the same end -- working toward the betterment of that youngster. We have had the privilege to develop curriculum guides based upon tying in both the MBS basic skill program with our regular developmental reading program. So, there is not a separation of the two, but rather it should be working toward one. That publication, incidentally, is on file here at EIC.

We are proud of our achievements. We are proud, and we owe an awful lot of it to the MBS testing program. We owe an awful lot to the State personnel involvement, whatever departments they may be. We are certainly hopeful that a comprehensive testing program is maintained in some form, no matter what.

ASSEMBLYWOMAN GARVIN: Thank you, Mr. Zavaglio. I would like to ask a question, since you have dealt with comp ed. Did you find in your district dealing with comp ed -- did your district pull out -- we, as legislators have heard complaints, and I'm just sort of asking you because you are in that, did many of the districts change or do they still pull out, you know, pull the student out of the regular class?

MR. ZAVAGLIO: When we initiated our comp ed programs way back -- I'm talking about Title I, Chapter 1 -- initially we did have pull-out programs, but we found that it was quite a chaotic situation when we were pulling out Title I youngsters, bilingual, migrant, ESL, and all the rest. So we went into what we call an in-classroom situation, where our teachers go into the classrooms to service the youngsters. We have done that for some six or seven years now

with a considerable amount of success -- not meaning that initially it was not a very difficult situation for a teacher to go into another teacher's classroom. That did present some initial problems at the outset. We have been able to break that down, I am very happy to say, and now the remedial teacher just carries on -- or the comp ed teacher as you wish -- and does planning with the regular classroom teacher. The remedial teacher follows along the developmental reading program and addresses the basic skills the youngster may need.

ASSEMBLYWOMAN GARVIN: Thank you. I want to do just a little clarification. During the Joint Appropriations Committee process, when it came to that item -- I think it was \$59 million -- anyway, those people who came to address the Joint Appropriations Committee during its public hearings would address that as an issue when we were dealing with the increase, I think from \$64 million to \$68 million. I know it was either footnoted or recommended to the then Commissioner, you know, suggestions or directions, since it came as a problem at the funding table. Do you see what I am saying? That is why I asked that question.

MR. ZAVAGLIO: I don't know why that would come up at a funding situation.

ASSEMBLYWOMAN GARVIN: It did.

MR. ZAVAGLIO: That is an internal situation that has to be addressed on the basis of the local administrative philosophy and what is best certainly for their particular district. But, we have found -- and others have gone to that as well -- but you can imagine that if a district has several different programs and one school has several different programs, those youngsters are going every which way and the home-base teacher doesn't know where those youngsters might very well be at any time. So, it was necessary to make adjustments accordingly, and we have learned very well to live with the situation.

I thank you very much for hearing me and, as I say, I hope I have been an able substitute for Dr. Eisenstein, who could not be here today. If we can be of any assistance to you or to your Committee, we would be delighted.

ASSEMBLYWOMAN GARVIN: Thank you very much. John?

MR. WHITE: Has Alex May arrived? Our next witness will be Alex May from the Millville Public School District.

A L E X M A Y: I hope I don't waste too much of your time right now -- I don't mean to take a lot of it. I just got here so I didn't hear what was said earlier, and I hope I don't repeat anything.

My primary concern as someone who has been an administrator in a comp ed program for the last five or six years, watching pull-out programs and testing programs and so on, is that as you develop a new way to do the testing -- I hope I understand the intent of this legislation -- as you are developing new testing procedures for the minimum basic skills or basic skills (inaudible), that some concern be given to the way the test is developed and the amount of time that is provided to the test developers. What I saw, I think, as a problem with the tests we have been giving the past few years, is that we develop a test and almost immediately administer it to the students. We now do a year of field testing, and we allow more time to make sure that the test we are giving is really the test we want to give. From what I have seen, we develop a test in March, April, May or June, go out and field-test it in October. We take the test we have developed in the Spring, we field-test it in the Fall, and administer it almost immediately the

following March. Now, if we found serious deficiencies when we field-tested in October, there really wasn't time to do anything about that. I do not think that is any individual's deliberate intent. I just think it is the way the funding has been structured from the Legislature and the way we haven't known in Education each year just what we can do financially with a test. We need more lead time when we build these statewide tests, is what I am trying to say. I just hope that as procedures are put in place for this new testing matrix that is being developed, that perhaps we can write a test this year that would not actually be administered until two years from now, so that we have a chance to make sure that the test we have developed is a viable test, that the items on it really work. As it stands now, as I said, all we do is, we hurry up and put it together under pressures of deadlines and budgets, we run out and field-test it, and we hope we find that we have a good instrument. If we don't we make adjustments to it, but we do not have a chance to field-test the adjustments. We simply have to administer it.

As I look at the situation, I just think that could cause us problems, and I would like to see something like that instituted as part of the procedures with this. Other than that I think, probably like many people, I am pleased to see that there is this kind of interest in it and that maybe we will be getting away from minimums and moving on to a test that tells us something. The results that we have been getting back, everybody passes the whole test. That is an exaggeration, of course, but we are no longer getting results that are really useful to us in the classroom, where 90% of our students are getting 90% of the items right. That doesn't leave us very much to work with. So, I am glad to see the emphasis on minimums going away, even though minimum basic skills has sort of been my bread and butter for the last five or six years. I would like to move on and do something else.

ASSEMBLYWOMAN GARVIN: Okay, Mr. May, thank you. Would you further explain why you need a two-year lead time?

MR. MAY: Okay. Probably there are people who might think I am not right in this, but it's just that if we write the test in March, field-test it in October, get the results back from the field test in November or December, and we have to have it published -- hundreds of thousands of copies for all the students in the State, in order for it to be administered to the third and sixth grades, we do not have time for a second field test if we find fault during the first field test. If it is a good test and no problems appear in the field test, then we are okay with our time lines, but if in the October field testing when we try it out on certain kids to make sure that we have written good test items that really will provide us with the information we are looking for -- if we find mistakes or if we find bad items we will attempt to correct them, but we do not have an opportunity to go out and field-test them a second time because we have to give the test that year. So, we just can't make adjustments.

ASSEMBLYWOMAN GARVIN: Okay, thank you. That is a good point. Thank you, Mr. May.

MR. MAY: Thank you.

ASSEMBLYWOMAN GARVIN: Dr. Koffler, were you here for the testimony that we just had about the two-year lead time? I would like the record to show -- maybe you could respond to us, you know, how the test is developed. You see, my colleagues that are not here are dependent on reading this testimony, and I want to place certain information on record. Now, the first question is, how are tests developed?

DR. KOFFLER: Perhaps I should talk specifically about the minimum basic skills test, how we develop that each year.

ASSEMBLYWOMAN GARVIN: Call it SBM -- I'm going to change the initials. (laughter)

DR. KOFFLER: As you may know, the skills that the minimum basic skills test are based upon have been identical since 1976, when we administered a survey to teachers, administrators, parents, Board of Education people, and students, asking them what they felt were the minimum skills. Each year we let a contract to a testing organization to assist us in developing the test, doing the printing of the test, scoring of the test, development of reports, and so forth. The test development process begins usually in May of the previous year. For example, let's use the last year's test, the Spring 1982 test. In May, 1981, our test contractor was given the first task of writing items which measured the skills that the tests were to be based on. They take approximately a month or so to write those items, and at that time we bring together committees -- in fact, Mr. May was a member of one of our committees -- there are elementary reading committees which at that point were responsible for the third and sixth grade reading tests; an elementary mathematics committee, which was responsible for the third and sixth grade math test; and secondary reading and math committees. Those committees are composed primarily of teachers, experts in reading and math, people from school districts, colleges, Board of Education people, and so forth.

They look at the items to determine whether or not the item is valid, meaning that it measures the skill, whether or not there is one and only one correct answer, whether or not there is confusion in the item, in general, examining the item to make sure that it is an appropriate item. That committee meets usually, if I recall, in July or August. Once that committee is finished, then we bring together a committee called the Minorities Group Advisory Council, which is composed of representatives from different minority groups. They go through the same task that the test development committees go through, but not for looking at the validity of the items, rather for looking at the items, the instructions, the pictures, to make sure there is no bias against any group in the items. They make sure, for example, that the women are not all in the kitchen and the men are out chopping wood, that we do have as unbiased as possible items, so that there is no -- the test is as appropriate for children in the inner cities as it is for children in the suburbs and the rural areas.

Both committees, the test development committees and the minorities group committee, make changes to those items and those changes are made in the forms of the test. Once the committees meet in July or August, then the test is field-tested, usually the first week in October. It is field-tested to representative groups of students around the State to make sure that the tests are valid, to make sure there is one, and only one correct answer, and to make sure that the test can be administered in the time period. The students to whom the test is administered are students in grades four, seven, ten and twelve, because those students are the groups which are the most similar to the students who next Spring will be in three, six, nine and eleven.

We field-test approximately 500 students per test from all areas of the State, from the inner cities, the suburbs, and the rural areas, and the people who do the test administration are people from the Department of Education, from the county offices, so that we make sure we maintain test security. We are very

careful that the tests are not released to the public, to teachers, until the March administration. We feel that it is very important that the tests be secure and that the items be confidential.

Once the tests are field-tested in October, our contractor analyzes those test results. The test development committees -- the elementary and secondary reading and math committees, return for another meeting, they look at the data from the field test results, and they also look at the items themselves, and make more judgments as to whether or not any of the items were poor items and whether there should be changes in those items. Again, they make the appropriate changes that they feel are necessary. I might add here that when they look at it for the second time around, there are hardly any items that are changed. It is infrequent that an item -- there may be parts of an item that may be changed, some wording that may be changed, but for the most part these committees did a very good job in the Summer. Once a test development committee comes together, then the minorities group committee reconvenes and looks at the data again for any biased items that may still exist.

To respond directly to Mr. May's comment, if at the second review committee meetings of the test development committees or the minorities council it turns out that for any of the tests there are sufficient numbers of items which would have to be changed, eliminated, added, or so forth, that would require us to field-test, we will not administer a test in a full-scale administration in the Spring unless we are confident those items are as appropriate and accurate as possible. It has been our case that there are so few changes and the changes that do have to be made are so minor, that we feel that another field test administration is not necessary. The process then ends at the end of October, when we have another group come together called the Technical Advisory Committee. These are people -- statisticians, psychometricians, reading and math experts from around the country, who come together for a two-day meeting to examine the technical aspects of each year's tests and to, in addition, guide us in terms of general testing issues and help us with future endeavors that we wish to make in the state of the art activities, and so forth.

By about November, the test is ready to go. It is then printed and is distributed to the school districts in March for the administration.

ASSEMBLYWOMAN GARVIN: In other words, I think in his recommendation he said a two-year lead time and, from your presentation, are we talking about nine months?

DR. KOFFLER: Yes. I do not think it is necessary to have a two-year lead time, given past experiences both at our State level and at other state levels, as well as the experiences of our test contractors and other test publishing companies that we may use in the future. His point is well taken, but I think that given our past experience, a two-year lead time probably is not required.

ASSEMBLYWOMAN GARVIN: This wouldn't be the legislative role. I think this would end up being an Administrative Code from the State Board -- I am assuming. But, it was a new point, and that is why I wanted you to clarify. All right, thank you, Steve. Mr. Dougherty, would you respond to the point on the greater range for testing. Do you deal with that when you go to the local school districts?

MR. DOUGHERTY: The greater range?

ASSEMBLYWOMAN GARVIN: Yes -- of skills. I think the person from Mercer County who talked about the matrix bit -- I meant to call on you then. Were

you here when he testified?

MR. DOUGHERTY: Yes, but I am not sure what the issue was.

ASSEMBLYWOMAN GARVIN: I was interested in having someone respond to his concern about the matrix that is included in the bill, but that is all right, no problem. Okay, who is our next speaker, John?

MR. WHITE: Dr. James Kimple, Superintendent of South Brunswick.

D R. J A M E S K I M P L E: Good morning, Mildred.

ASSEMBLYWOMAN GARVIN: Good morning, Jim.

DR. KIMPLE: I haven't prepared anything, so I'm just going to be talking off the cuff here in reference to some of our concerns about this whole testing process.

I, for one, think that we are overtesting kids; that has nothing to do with the minimum basic skills. I frankly think we are test-happy in this country. Tests do have a place. My concern is the abuse of tests. I'll talk about them very briefly, insofar as it is possible to do. Comp ed has been mentioned, and I want to touch upon comp ed.

We test now minimum basic skills, the third and sixth grade levels, and that sort of thing. It is far too late to begin to get a handle on the learning styles and the needs of kids at the third grade level. By the time a youngster is in the third grade, most of the youngsters who are identified as having difficulties in school are perceptually impaired -- are identified as perceptually impaired youngsters. There are ways to deal with that long before they reach third grade, but much after third grade it is almost impossible to do anything about it.

So, I think we need some means of identifying youngsters far earlier than third grade who are going to have academic difficulties. This is not difficult to do. In fact, it is very simple to do. We talk about comp ed -- I think we have got the cart before the horse. The most significant piece of the funding for comp ed was taken out when the research and development piece was dropped. What we tend to do in many, many places is to put youngsters into comp ed programs and then give them more of the same that they have already failed in. We don't deal with cause and effect. The same thing is true when we deal with handicapped youngsters in the development of an IEP. My concern is that we need a great deal of training throughout every school district in the State of New Jersey, and there is not one, including ours, that is doing the kind of job that needs to be done for kids.

Now, the concerns about the minimum basic skills test and, incidentally, I am all in favor of the minimum basic skills test in reading, writing and arithmetic. I'm not so certain that I am in favor of them beyond that point, but I would like to see them continued. I would like to see some modifications in those tests, and if it were possible -- it would be kind of a messy thing to do -- but to permit a school district to have a wide range of things from which they could select, because if you give a minimum basic skills test and you say that at this particular grade level kids ought to be achieving and doing these kinds of things, then in effect you are establishing the curriculum for that particular school district. We don't happen to believe, for example, that certain kinds of things in arithmetic ought to be taught at the particular grade level. That is our choice -- that is the choice that we should be able to make.

We ought to cover the whole range of activities. For example, when we give tests to kids -- I have frequently advocated that we permit a youngster to take

a test and, hey, just keep right on going. Let's find out where this kid really snaps out as far as that test goes -- find out what he does. What we tend to do in public schools, or any schools for that matter, is to reteach kids things that they already know. There is no point in that -- it is a waste of time.

I would also like to see us begin to talk about developing some kinds of testing devices which would tap the knowledge and the information that youngsters have and the process that they go through in terms of the higher order of skills, like thinking, problem solving and decision making. Those are the things that we really ought to be after. They do need the minimums before they can get there, although we find that kids when they come into school at the age of five are already problem solvers and decision makers, and by the time they get out of twelfth grade we have already knocked that out of them.

Comp ed -- I will wager that every youngster in the State of New Jersey who is in a comp ed program, unless that youngster has a pathological condition, is visually impaired, by my definition. It is a very broad definition, what I mean by a visually impaired youngster. And yet we tend to use the same techniques teaching these youngsters once we have found that they cannot achieve in a particular area as we use with all other youngsters who have been successful. So we need some indicators much earlier than third grade.

I am concerned about our emphasis upon wanting school districts to use standardized tests. Those are norm reference tests. I am no expert in testing by any means, but in any event, a norm reference test measures, as has already been said, the youngsters in a particular school district against other youngsters across the country -- they are standardized tests and that is what they have to do. It really is no indicator of what the treatment of a particular youngster ought to be, nor is it any measure of what has been taught. A criterion reference test does do that -- it does say, "Okay, this youngster has been taught this. This youngster is then able to perform," whatever is done. The minimum basic skills tests tend to be that kind of test. We need to go further with it.

A local school district cannot develop, by itself, all of the testing devices and the criterion reference, in order to permit them to do justice to the youngsters. It takes some people outside who are test experts to be able to do that. But they should provide -- the statewide tests ought to provide us with a wide range of choices so that we can alter our curriculum in reference to it.

Now, I am not only in favor of minimum basic skills because it has forced us to take a look at the youngsters who were not achieving. This is particularly true in some of the cities. It is particularly true in a district like our own where our achievement is relatively high and the minimum basic skills -- we can just keep raising the expectations of our own district from that point of view. But it has forced some people to give some attention to the youngsters who have not achieved. I think some of that attention has been misdirected. I know a great deal of it has been misdirected. When you talk about comp ed and the kinds of arrangements we have, we do not pull kids out of class. We never have. We put aides in to help the classroom teacher and that is the way we spend our money. It works extraordinarily well.

I could go on and on about this business of testing and the kinds of concerns I have in the way that we educate our youngsters, but there are a number of myths that have been developed around this whole business of testing, like for example, grade level. That is the most misunderstood and misused -- there is no

such thing as grade level, it is a myth. It is an arbitrary kind of a statement that says that a youngster who is in third grade reading at the eleventh grade level is really reading at the eleventh grade level. That is not true. So, when you hear people out of New York City, for example, saying that youngsters who graduate from high school ought to be reading at the twelfth grade level instead of the ninth grade level, they are using information that has no meaning. What it really means to say is that if a youngster is in third grade, dealing with third grade material, and that person is reading at a twelfth grade level, he is dealing with that third grade material at about the same rate you would expect a twelfth grade student to do, not that that youngster is reading the same kind of stuff that the twelfth grade person is reading.

So, I would suggest that the State Legislature do a number of things. Number one, fund training, because we need massive training programs all over the State.

ASSEMBLYWOMAN GARVIN: You mean for staff?

DR. KIMPLE: Yes, for staff. And the proposal at the present time to train in the planning mode makes no sense either, unless there are funds behind that to train people to do it, because educational planning is a recent development. Planning in this country has been an anathema for years. If you had a five-year plan you were a communist, for example. So, planning has been negated for generations and nobody has ever been taught to plan. So unless we begin to teach people to plan, we are not going to have many good planning results. I would hate to leave it up to people to just go ahead and plan, when they don't even know how to go about doing it. I'm going to give you an example of what I am talking about.

We happen to have in our school district some very competent psychologists and social workers, and others who deal with handicapped youngsters, but if you read the IEPs, the relationship between the objectives and the strategies is often way off base. The strategies do not meet what the objective seems to be. So, we need to have a tremendous amount of money thrown into this process. I would encourage the Legislature to put as much money as possible into planning -- as much money as they can possible put -- into training.

ASSEMBLYWOMAN GARVIN: Very good. Now, I have a couple of questions, don't you leave. When you said the third grade level was too late for testing --

DR. KIMPLE: Sure, to really indicate what the cause of the kids' learning problems are, to identify it early enough in order to be able to do something about it. By the time that a youngster reaches third grade, that youngster has already established in his or her mind something about his or her own adequacy as a learner. To give an example, my wife thought she was stupid until she was 35 years of age. She has a sister two years younger than she who was the first woman mathematician ever hired by IBM to do computer work up at the Watson Labs in New York. Teachers in school used to say to my wife, "Well, you can do it. Alice does it. Alice is capable of doing it." Later, after I got married, my father-in-law said to me, "Well, Alice is really the bright one. Harriet is kind of flakey, but she has other kinds of things that she can offer." It so happens that my wife is more intelligent than her sister, but she was not able to tap that intelligence. We peg kids at kindergarten, and they never get out of the rut. We peg them at first grade, second grade and third grade, and they never get out of the rut. We peg kids in inner cities as being stupid because they are black, and, by God, those kids can learn as well as anybody else can learn -- if we learn how to tap it.

So, testing it seems to me ought to give us clues as to what the learning style of kids happens to be, what the needs of these kids happen to be, and this sort of thing. There isn't a test on the market at this present time, used commercially, that does that.

ASSEMBLYWOMAN GARVIN: Would you say that testing on the first grade would be a more -- in other words, when you are saying the third grade level is too late -- I'm asking what would you recommend?

DR. KIMPLE: Well, there are some very simple ways to identify those youngsters who are going to have some learning difficulties unless it is dealt with. We need to call in people who know something about that and deal with it, begin to take a look at this piece of it, because if we don't pick these kids up before the third -- before they are nine years of age, we are going to have an uphill battle from then on for the rest of their lives. Those kids are already marked at that level.

I am also concerned about what we do in terms of school districts. When I walk into some of the districts where I have taught some graduate courses and I find that teachers are handed materials by the central office to be dealt with with a particular kid and they have never seen that kid before, or that the teachers have no ownership in it, or that the teachers do not believe in it, there is where we really get into difficulty. If teachers believe that something is going to work, it tends to work. But teachers have to participate in this whole planning process. It cannot be done from the top down; it has to be done from the bottom up, and they have to have an ownership in it -- testing being a part of it.

Now there are certain kinds of things that the MBS tests have done that I object to. I object to the tremendous amount of effort that has gone into reading, writing and arithmetic to the exclusion of the other things. That is not the test's fault. That is the fault of the emphasis and the monitoring system, and that sort of thing. We were initially promised that the test results would not be compared one school district with another, and yet we turn right around and do it because this is public information. Frankly, I think that is a violation of everything that was ever promised before it was ever done. So, you've got some bad names in reference to this. But people in communities hang their hats on test results. If the test results go up, they are pleased as punch. We may not have done a damn thing in terms of education, but as long as the tests go up -- the scores go up -- people are happy about it.

People do not really understand what the educational process is, and I'm not saying that any of us do, but I think we do have the idea that what we ought to be dealing with is problem solving, decision making and thinking, because those are skills that are going to be sorely needed -- that are needed right now. We have people down in Washington messing around with everything and they don't know enough to plan to get out of the hole. So, there we are. The same thing happens at the State Legislature -- (laughter)

ASSEMBLYWOMAN GARVIN: Present company excluded, I hope.

DR. KIMPLE: -- and the State Department of Education, and in my own school district, and me personally.

ASSEMBLYWOMAN GARVIN: Okay, Jim. Thank you so much. I'll tell you, I made a real point here because the third grade level, and this is the value, I guess, of a hearing -- new thoughts, you know. You related to age, what was that -- nine years of age. I will be looking at that with the experts.

DR. KIMPLE: Let me make another kind of a comment -- it is a wild one. I tend to make kind of wild comments every now and then. I have a hunch that if all of the intake mechanisms were in place with a youngster, if that youngster were able to gather information effectively and efficiently, that in this particular culture of ours those kids couldn't help but learn to read, write and do arithmetic. Now, arithmetic they have to be taught; writing they have to be taught. But there are so many kids who pick up a book and start reading and who teach themselves. We have never really tried to help youngsters to become able to gather information through their senses effectively and efficiently, nor to process that so that the motor response is appropriate.

There is the area that we have got to begin to talk about, and it is foreign to the training of most professionals.

MR. WHITE: Have there been any recent developments in the area that you are concerned with -- in visual impairment -- that would help to tie the two concerns together?

DR. KIMPLE: I have been trying to get funds enough to really set up some studies in terms of what we have been doing. We did have a State grant. I don't want to make too much of this, but our prediction was that if we did certain kinds of things in gross and fine motor training over a 12-week period, that the average score of kids on the WISC -- the performance scale of the WISC, would increase by an average of ten points. We gave the WISC to a selected number of students on a random-sample basis and 18 months later repeated the WISC. I didn't give it. We got increases of as much as 30-40 points.

Now, I don't know that anyone is really able to measure native intelligence. I doubt it. I think we get some rough guesses at what it may be. But if it is true that we use about 5% of our native ability, then it makes some reasonable sense to me that we ought to be able to find ways to help youngsters to improve what they are able to do all the way through. Nevertheless, we did get increases as much as 30 points and we got an average increase of eight points. I don't put too much stock in that, but it is an indicator that something is happening with these kids, that they at least have a feeling that maybe they are able to do some things that they didn't think they were able to do prior to that.

We need to do some more research in this area. We also need to do some research, more than we have done, in this whole area of visual development, and I am talking about visual development in a very, very broad sense. It is very easy to identify youngsters at a very early age who have difficulty with motor skills and with visual skills -- very easy. There have been enough studies around to indicate that it makes a real difference. We are not trying to teach youngsters to be rote learners, but in many places that is what is happening. We are teaching kids to be rote learners. What we need to do is to teach kids to be real learners, people who can take a look at the data, analyze the data, reach their own conclusions, and take some action that is appropriate. If we do not do this, then we are going to continue to have a situation throughout the State, and throughout the nation, with people who are forever going to be saddled with a particular stratum, and I don't like it.

ASSEMBLYWOMAN GARVIN: Thank you very much. Who is our next speaker?

MR. WHITE: Jim Heatherington from Gloucester City Public Schools.

JAMES HEATHERINGTON: I'm James Heatherington, Assistant Superintendent of Gloucester City Public Schools, which is in Camden County. I come here

for my own education. I have never attended a hearing, and I came to see what one was like. I had not prepared a statement prior to coming here, but I would like to respond to some of the things I have heard.

I have some concerns specific to the law. We have discussed on Page 2 of the law this matrix sampling basis -- the second set of numbers, Line 4, it says, "a. In grades 3, 6 and 12..." we will be using a matrix sampling basis. We skip down to Line 8 and Lines 8, 9 and 10 explain, "The matrix sampling tests shall include a sufficient number of students and a sufficient range of items to insure that reliable summary information is available for each school and each district." Skipping over the next set of numbers to the Line 1 of Section 5, which says, "Each local school district shall be responsible for the assessment of each pupil in that school district to ascertain the needs of the pupil with respect to State and local goals, objectives and standards."

One of the things I think that Dr. Keyek was trying to say, and one of the things that has concerned Gloucester City schools locally, is this fact that we are required to test K through 12. We must give some sort of a norm reference test. In addition to that, we then test grades 3, 6, 9 and 11 in an MBS test. Once a child has failed this MBS test, we are required again, by program evaluation, to give a pre and post-test for each child identified as being into a comp ed program. So we are testing, testing, testing. Maybe it is simplistic -- I was talking to Steve, and my concern is that we do have some sort of standards given to us by which we can determine minimum levels of competency for program inclusion. You know, in our particular instance I don't mind mentioning the fact that we use the California test. We use the standards that the State gives us for one of the criteria, and certainly multiple criteria should be used for inclusion in any program, but we must, for continuity of a child's program, test grades K through 12. We attempted at one point not to test the grades that were tested by the State with the California, just to save time and money, and we found that it created gaps in our educational assessment process. Therefore, we not only test our kids in the MBS at that grade level, but we also test in the California for continuity of assessment.

I have been taught that the ultimate goal of an evaluation scheme is to determine what has been taught. When I work with teachers, I say, "I want your test to represent the curriculum that you taught." And I think that is the danger inherent in any sort of State testing program, that you are setting criteria for determining student abilities and in reality it is foolish not to teach the criteria that is on that test. Again, you are limiting curriculum into -- and I've told my teachers, "You are foolish not to look at those criteria and you are foolish not to identify what that test is evaluating because your students are going to be evaluated on that particular criteria, and you are not being fair to them not to build this into your curriculum." The concern is, as we do this, are we then determining the State curriculum? Are we going to get like the New York regents where you set particular curricula so that the state test is mastered? That is a concern. I don't have any answers -- I am just raising a concern with that.

I have felt that we have gotten excellent results from our California test because it measures the curriculum that we are offering our students and it does give you minimums as well as maximums. You can take the State standard, which may be 27%, and say that is not reflective of our community. We will raise our standards at 34%, that is what we consider a passing test. I think you have that

flexibility. Steve told me in a break that these are not useable for graduation requirements. He knows much better than I, that is his expertise. I can appreciate that input.

We just heard a comment on how the State tests are being used. It is kind of like my biting the hand that feeds me because I was a very happy chemistry teacher and I decided that I would get into administration, and almost since I have been in administration the bulk of my time has been dealing with compensatory education and the thorough and efficient law, and all of the paperwork, to the point that one of my secretaries came in yesterday and she said, "I read that the Commissioner said he is going to cut down the paperwork." She thought maybe she was going to lose her job because the Commissioner said he was going to cut down the amount of paperwork in T&E. I said, "I can assure you that we have enough to keep you busy."

I am glad for the opportunity just to say one thing to you with respect to State testing. I have objected, just as the preceding speaker, to the Phase 2 interpretation. We are told that these tests are never to be used to judge one school against another and, since the test has been in, we have had to compare our school's results to our community type, our DFG, our county and our State. I know a State computer could do that just as adequately as I could, or as my district staff could. And yet every year we have to complete that Phase 2 interpretation. We just submitted them now. I think there is kind of a fallacy in, we say that you can't, and then we are asked to do it. I am totally in favor of the Phase 1 interpretation, which is the item analysis. That is what you give tests for, to determine your weaknesses, to go over it with your staff, to go through the kinds of things that they should be including in their curriculum.

ASSEMBLYWOMAN GARVIN: Am I correct, or maybe you can help me, Steve, that Phase 2 was related to the -- you know, I never did support classification, but it flew -- is it related?

DR. KOFFLER: No, not at all.

ASSEMBLYWOMAN GARVIN: Not at all --

DR. KOFFLER: No. The Phase 2 interpretation -- there are a number of required interpretations that school districts have to make with the State test. The Phase 2 interpretation requires that school districts make comparisons on an item-by-item basis, but first they must do two things.

Let me talk about Phase 1 and Phase 2, they are done simultaneously. Phase 1 looks at the percent of children who correctly answered each item on the test. The type of information we produce includes what skill the item measured and the percent of children who got that item correct in every classroom, building and then for the district as a whole. School districts examine that information to look at the gaps, to look at strengths and weaknesses of the groups, rather than of individuals so that they can use the information to make program planning, program modification, and so forth, based on those skills.

Phase 2 which, in my opinion, is equally important, is a comparison of that same item-by-item information, not the percent of children who passed the test, but rather on an item-by-item basis the percent of children who correctly answered the item, or equivalently the percent of children who are having problems with the items with similar type districts, not individual districts, but rather -- for example -- I guess an example might be best. Suppose in the Camden School District 60% of the children are correctly answering items which deal with two-digit

addition. The Phase 1 interpretation would require that the teacher, the administrator, and all the relative people look at that information, that 60%, look at when the skills were taught, look at all the information about what those skills are and what that performance is registering, and make the determination whether they feel that is satisfactory or unsatisfactory, and so forth. If they feel it is unsatisfactory, what are they going to do about it? But it may very well turn out that they may be satisfied that 60% of their children passed the test. However, it may turn out that all of the other districts in the State which are similar to Camden, for example, in terms of socio-economic status, urban centers vs. suburbs, 80% of the children are correctly answering the test. In my mind that would signal that, although they are satisfied with 60%, something else is happening in all of the other districts in the State which are similar to Camden where 80% of the kids are answering those items correctly. I would then want to do further analysis to determine what the problems were.

So, in direct response, I do not think a computer can do that. I think that is a subjective evaluation that has to be made, and I think it is important that it is not sufficient to look at results in isolation within a particular school district, but rather that has to be within the school district and in addition among like school districts, so that if one accepts the research which says there are relationships between achievement and certain other factors, then we should expect certain results. I do agree, though, in terms of the -- I think the comparisons that Dr. Kimple was talking about concern more so the comparisons that are made when we are required by law, or the Commissioner is required by law, to present the percent of children who pass each test in each school district, and he does that in July.

ASSEMBLYWOMAN GARVIN: Okay, Steve, thank you.

MR. HEATHERINGTON: May I respond to one other section?

ASSEMBLYWOMAN GARVIN: Yes -- please.

MR. HEATHERINGTON: On Page 3 of the law, in the middle of the page, 31 (6), it says, "A thorough and efficient system of education includes local school districts in which decisions pertaining to the hiring and dismissal of personnel, the curriculum of the schools, the establishment of district budgets, and other essentially local questions are made democratically with a maximum of citizen involvement and self-determination and are consistent with Statewide goals, guidelines and standards." Again, I am not a lawyer, but as a working administrator, it concerns me that this law, to my interpretation, says that I need maximum citizen involvement in hiring and firing -- Line 32, Page 3.

ASSEMBLYWOMAN GARVIN: I am not a lawyer either, by the way. I think probably this whole paragraph is referring to the local Board's responsibility, and perhaps the language needs to be clarified. I think it is a good point, but I don't think this Paragraph (6) is directed at you, the administrator if you will, as much as it is to the local Board's responsibility for that local school district. I am just going to put a clarification here that would have to take place at some point in that Section (6) on Page 3.

MR. WHITE: When it was first drafted, I think part of the feelings was -- at that time Title I in some school districts was being rejected by superintendents because it required them to talk to parents and they had never talked to parents ever since they had been appointed superintendents. There was a feeling at that time that no matter how strongly you stressed this public involvement, it

would not occur. It does not specify here what the nature of the public involvement is in your personnel, hiring and firing, so it is left up to you to interpret public involvement. So, actually, that is a very weak statement about public involvement. It just says use it, but it is permitting you to interpret how the public is to be involved.

MR. HEATHERINGTON: I go back to the word "maximum" then.

MR. WHITE: It is left up to you to interpret what maximum means. We do not specify that before you hire someone you must consult with so and so. There is great flexibility in that language.

MR. HEATHERINGTON: Thank you.

ASSEMBLYWOMAN GARVIN: I can see us -- our next hearing is in North Jersey and I can see that being a (inaudible). Do I have anyone here who has not registered who is interested in testifying? I have a superintendent who is registered who is on his way, and I do intend to wait for him. In the meantime, if no one has additional comments, we'll just take a break because when a person does schedule, no matter how long I have to sit here, I respect that participation. So, if no one has anything to add, we'll just take a break because I am expecting Dr. Stephen Kalapos, who is the Superintendent of the Glassboro School Board.

We get a lot of flack in Trenton, you know, in that when we have the public hearings, the only people who testify are your chief lobby groups, and one of the thrusts of our Committee on major issues is to try to take the Committee both to South Jersey and to North Jersey. There was to be one in Trenton, which I cancelled. However, that is going to be the thrust of this Committee on major issues, hopefully so that we can get a broader input from the public.

Here is Dr. Kalapos. Very good, we were waiting for you, thank you so much. I was just going to take a break to wait for you. If you would like to get your breath, you may.

MR. WHITE: Dr. Stephen Kalapos, Superintendent, Glassboro School Board.

D R. S T E P H E N K A L A P O S: Assemblywoman Garvin, I am pleased to see you again. I had the pleasure of greeting you down at the School Boards' Conference. I didn't know we were going to meet so quickly.

I am very pleased to have the opportunity to say a few words about the New Jersey State testing program, particularly A-1785. I would like to begin by saying that this morning I sat with a group of our school administrators in Glassboro -- I'm Steve Kalapos, Superintendent of Glassboro -- and we went through A-1785 and discussed at some length both the previous testing bill and A-1785. I would like to relate to you some of our thoughts and some of our conclusions.

I think first, one thing that we recognized in the summary statement, which seems to be somehow implicit in the notion of State testing programs, is that the statement begins to refer to the matrix sampling method, then it goes on and says, "This provides the State with an accurate assessment of the performance of any given school." Now, I think educators around the State have been trying to say for years that that is a rather naive and a very simplistic kind of a statement, because we recognize that there is no single test that is going to do this, that is going to give you an accurate assessment of the performance of any school.

In other parts of the law, in State Board Rules and Regulations, there are phrases such as "multiple measures." Schools, their programs and their students, cannot simply be measured and judgments made on the basis of a single test. Unfortunately, this foists on the public the notion that the statewide test

is indeed an accurate way of measuring or assessing the programs in a particular school, and this is simply not the case.

We discussed briefly this morning the previous minimum basic skills test which we have agreed for years has been neither thorough nor efficient. Of course, it tested only in the areas of communications and computations, or translation, reading and math. The amount of analysis that it took us, analysis by local staff, teachers, administrators, was exceedingly costly. The amount of time that the State Department of Education takes with regard to such a test is -- time, effort, money -- only the tip of the iceberg. Local districts where we spend two days with, maybe, four teachers at every level in every school, and a couple of administrators, and try to tease out and interpret as we try to follow the school district guidelines as set forth by the New Jersey Department of Education, we found to be an enormous waste, because the information that we derived at the end of the process told us very little that we did not know before. Our students who at most levels, where 90% of our students were passing the minimum basic skills test -- we are finding no information of any value for 90% of the students. Even for the other 10%, the information that we already had was not even well substantiated on the test.

So, we have been, for years, quite disappointed with the minimum basic skills test. The one thing, perhaps, that the minimum basic skills test did, as it does for districts that -- particularly urban districts, it did help to identify those students who were below State minimum standards and it was then related to the compensatory education programs and funding and to that extent, coupled with other tests, it assisted us in identifying some, maybe most of, the students who had to be helped in the compensatory education program.

The value of the test was negligible. The compensatory education program and the funding from the State, and what we have been able to do over a period of several years, has been the key to success in improving the basic skills. We could have done it without the minimum basic skills test. We could have done it with a testing program that has been in existence in Glassboro for the last 20 years, or with the assessment instruments that our teachers use day in and day out, some of which are standardized tests, some of which are tests which come with our instructional materials, some of which are locally devised -- a far more extensive testing program than was provided for with the minimum basic skills test. Yet one realizes that one of the purposes of the minimum basic skills test, or any statewide test, was in order to gather data on a statewide basis and try to make some assessment of what was going on from the State point of view.

What I am pointing out is that the use of those tests, the value of those tests, was negligible -- negligible at best at the local level. Having read through A-1785, I think our conclusion this morning, the conclusion of our administrators, was that this might be a slight improvement over the previous law with regard to testing. At least it is going to test a wider range of skills and abilities because the previous test was of no value to 90% or more of our students -- or to help us to assess 90% or more of our students. There is apparently -- apparently I said, more emphasis on local district assessment of individual student competencies. That is part of the law at the present time, but it seems there is a shift in emphasis there and we certainly applaud that. The fact that one goes to matrix sampling at certain levels appears to us that it will be able to save us some time and money. There is an enormous expenditure of time on the part of students, for every student

to be tested, at every level 3, 6, 9 and 11, and the amount of teacher time, instructional time used for very little return -- maybe we will get some of the same information with less time consumed in the process.

Of course, one aspect of it, to delegate to the State Board and local boards that responsibility to establish goals and objectives and to define standards of pupil proficiency at all levels -- to delegate that responsibility is certainly the appropriate thing to do.

Some of the language in the new bill seems to have the thrust to move toward greater responsibility for local districts to define, and that is to be applauded. However, the conclusion I think is that we came away from it somewhat skeptical, and probably the conclusion was, "It's a slight improvement." However, if we are going to do the same things that we did in the past, if, for example, we are still going to go through all of the processes in the school district guidelines that the State Board of Education puts out and get very little in return -- very little information about students, very little information that is diagnostic for us to use, very little information that helps us improve our own instructional programs, then there isn't any great improvement.

We begin to question, as we have before, the expenditures of monies here, I guess close to a million dollars, for a testing program that we are not sure is going to give us a lot more information, useful information, than we had before. Most school districts in the State have local testing programs, have had for years. It wouldn't make any difference to us if tomorrow you eliminated the State testing program because we relied on our own testing programs for years, have reported them to the public, have used them for instructional improvement, have set objectives, goals, evaluated programs and students, so it really wouldn't make any difference. It would be just as well for us if the State Department, the Legislature, the State Board of Education and the Department of Education said to all the local school districts in the State, "Here are some guidelines, develop your own testing programs. Use national standardized tests, perhaps some tests that could be compared with one another." It wouldn't bother us in the least.

There has been some value in some of the testing, as that is part of the major thrust of focusing on the improvement of basic skills. That has brought far greater attention in recent years to that important objective of all local schools. Perhaps to that extent, the State testing program imposed on other testing programs has been of some value. It has helped somewhat, and is helping now at the high school level, in that students -- particularly those who are having the greatest difficulties in the basic skills -- have a much greater incentive now in the basic skill areas because our ninth and tenth graders now know that they don't have to pass at some -- I don't want to use the word minimum anymore because it was struck from the legislation -- but at some minimum level. That, of course, is a big help to them.

The last thing I want to say is about the question that we very often have about any system that attempts to set up uniform statewide standards of pupil proficiency at all levels, and this is the section in which the legislation delegates to appropriate State and local agencies the authority to define standards of performance, including uniform statewide standards of pupil proficiency at all levels, and then reading, writing and mathematics. Incidentally, the simplification of the language is fine with us -- to use reading, writing and mathematics.

The problem in trying to do that uniform statewide standards is an enormous and virtually impossible problem. This past semester I have been teaching a ninth grade English class of advanced students, rather bright students -- some twenty-some students in literature. I have certain high standards, higher than, perhaps, standards for any other ninth grade English class. I expect them to think at a very high level, and interpret at a high level, write and communicate at a very high level. I don't know how the State Board of Education or the State Department of Education would be able to set a uniform standards of pupil proficiency for that single class of kids. A couple of years ago I taught another class for a semester which was called, Civil Liberties. Anyone was acceptable in that particular class. There was a great range of abilities, from kids who had great difficulty in reading to very bright kids -- the whole range. I don't know how the State Department of Education or the State Board, or maybe even the local Board of Education, could set appropriate standards, so-called uniform standards of pupil proficiency, for that class of 25 kids. I had many different standards in that particular class, certainly certain minimum standards for passing, but the expectation for the brighter students was a much higher expectation than for those that I knew had greater difficulty in learning.

So I am saying that that concept is a very troublesome one. It is a troublesome one for our teachers, our administrators, and it is troublesome for our local boards because they themselves have enough trouble trying to establish uniform standards of pupil proficiency.

I guess in conclusion, I think our conclusion was that in this legislation, at least, we seem to be moving in the right direction. There is some slight improvement over the previous law. We are still very skeptical, and perhaps even a different thrust would be more efficient and less costly than this bill, which continues with the statewide testing.

I will conclude by saying that the problem of funding, even with regard to this test, still exists. We wound up with a situation just recently where we expected there would be a statewide test in writing, and the State Department of Education was not able to initiate such a test because, as we understood it, there was not enough money to do it. If there isn't, then I think we have got to take a really hard look at how we are spending the money and what kind of return we are getting, and how much time, effort and money is being spent by local school districts in trying to use this kind of test for which we get very little return. I would rather see a much greater emphasis on the research and development phrase that is in here, the staff development part of this. The testing, as every one of our teachers knows, does not do anything to improve instruction, does not do anything to improve that teaching/learning situation, and when that happens teachers and local level people are very skeptical as to the value.

I hope what I have said has been helpful, and I would be happy to answer any questions you may have.

ASSEMBLYWOMAN GARVIN: Okay, thank you. I do have a couple questions. What do you do in your districts about the writing test -- what are you doing now about that?

DR. KALAPOS: We have had for several years our own writing program. It is a little project that we have called Project Write. We take student writing samples every year and we have teachers who we employ in the summer to evaluate those student writing samples. We have had our teachers and our evaluators trained

by using some staff members here at EIC -- Educational Testing Service New Jersey Writers Project. We have been assessing the writing growth of classes and schools for several years, which I hope the State Board of Education and the State Department of Education will soon do. It is a very expensive process. There is no simple way to evaluate the actual writing, and to think that we are going to do it by some objective test is just erroneous. That cannot be done -- it is very expensive. I think that if the Legislature is serious, it has to put up dollars, knowing that this is a very expensive area to evaluate.

ASSEMBLYWOMAN GARVIN: I support the money, you know, I have bills for days. I wanted to ask another question about this part. Are you dealing with Page 5, Section 10 in the bill?

DR. KALAPOS: I have the right page, Section 10.

ASSEMBLYWOMAN GARVIN: Page 5, Section 10, Line 3, at the bottom there?

DR. KALAPOS: I think so.

ASSEMBLYWOMAN GARVIN: I was just wondering if that is the paragraph that you were discussing before, where it says, "For the purpose of evaluating the thoroughness and efficiency of all the public schools of the State, the Commissioner, with the approval of the State Board and after review by the Joint Committee on the Public Schools, shall develop and administer a uniform, Statewide system..." -- is that the paragraph you were --

DR. KALAPOS: It was not so much that one, as it was the one I think is on Page 1, 2 -- I think it is Page 3, except my page numbers are cut off --

ASSEMBLYWOMAN GARVIN: Line 31?

DR. KALAPOS: It goes down to the bottom -- Line 48, which is b.(3). Line 43 says, "The Legislature, therefore, hereby accept the responsibility:" Then Item (3), Line 48, "To delegate to appropriate State and local agencies the authority to:" -- then (b) underneath, "To define standards of performance, including uniform Statewide standards of pupil proficiency at all levels in reading, writing..." I don't know what the State Board of Education is going to do with that. That is what I am referring to -- particular classes -- I don't know how you do that.

ASSEMBLYWOMAN GARVIN: Okay, thank you.

I think -- anyone who is here, if you want, don't just give us statements, but give us an in-depth review of any recommendations, because we are hoping to improve on a system. I did not introduce this bill to do the same old thing. I see a broad necessity for a statewide testing, and it is not in concrete how we do it. But I think things did happen on a statewide basis with the minimum basic skills test. I do not want to impose a standard on any district. I believe in local control, by the way. But I do believe in some statewide testing and I will be fighting for this, tooth and nail, but not before I have received suggestions and recommendations, so if you haven't thought it through this morning, please I welcome you to send them to me about the bill and they will be taken into consideration.

I would like to thank you for my four-hour trip here this morning to South Jersey. It was my pleasure.

(HEARING CONCLUDED)

