

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

*The Commonwealth of Massachusetts*

PRESENTED BY:

***Marjorie C. Decker***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a moratorium on high stakes testing and PARCC.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Joseph D. McKenna</i>	<i>18th Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>

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

[Pin Slip]

*The Commonwealth of Massachusetts*

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to a moratorium on high stakes testing and PARCC.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 1. Chapter 69 is hereby amended by striking out section 1, as appearing in the  
2 2008 Official Edition, and inserting in place thereof the following section:

3 It is hereby declared to be a paramount goal of the commonwealth to provide a public  
4 education system of sufficient quality to extend to all children including a limited English  
5 proficient student as defined in section 1 of chapter 71A, and also, including a school age child  
6 with a disability as defined in section 1 of chapter 71B the opportunity to reach their full  
7 potential and to lead lives as participants in the political, social, and economic life of the  
8 commonwealth. It is therefore the intent of this title to ensure: (1) that each public school  
9 classroom provides the conditions for all pupils to engage fully in learning as an inherently  
10 meaningful and enjoyable activity without threats to their sense of security or self-esteem, (2) a  
11 consistent commitment of resources sufficient to provide a high quality public education to every  
12 child, (3) a deliberate process for establishing and achieving specific educational goals for every

13 child, and (4) effective mechanisms for all stakeholders to monitor progress toward the stated  
14 goals and intentions in this section and to be held accountable.

15

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

21 (b) Notwithstanding the provisions of any general law, special law, regulation, or  
22 collective bargaining agreement to the contrary, during the next three full school years following  
23 the effective date of this act, the results from student learning measures that inform the educator  
24 plan or self-assessment shall not be used, in whole or in part, in an educator's formative or  
25 summative evaluation or in determining an educator's impact on student learning rating.

26 (b) During the next three full school years following the effective date of this act, the  
27 department shall not implement or use the PARCC assessment to satisfy the provisions of section  
28 1J of chapter 69 or for any student competency determination as a graduation requirement or  
29 school and district accountability purpose. Notwithstanding the provisions of section 1J and 1K  
30 of chapter 69 or any other general or special law to the contrary, the department shall not use  
31 student achievement measures on the MCAS assessment or use student growth measures based  
32 on standardized tests for the purpose of assessing the performance of any public school or school  
33 district.

34 Section 3. (a) An Education Reform Review Task Force shall be convened no later than  
35 September 1, 2015, for the purpose of (i) reviewing the use of MCAS or any mandated state  
36 assessments, the implementation of the educator evaluation framework established pursuant to  
37 section 1I of chapter 69, and the use of student data on standardized tests as a student high school  
38 graduation requirement or in evaluating educators, schools, and districts and (ii) determining  
39 whether these mechanisms advance the paramount goal of the commonwealth established by the  
40 Education Reform Act of 1993, as amended by section 1 of this Act and, if not, should be  
41 eliminated or modified.

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

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

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

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

48 (4) one member chosen by the Governor from a list of three names submitted by the  
49 Massachusetts Teachers Association, one from a list of three names submitted by the American  
50 Federation of Teachers/Massachusetts, one from a list of three names submitted by the  
51 Massachusetts Association of School Superintendents, one from a list of three names submitted  
52 by the Massachusetts Association of School Committees, from a list of three names submitted by  
53 the Massachusetts Elementary School Principals Association, and one from a list of three names  
54 submitted from the Massachusetts Secondary School Administrators Association, and one from a  
55 list of three names submitted by the Massachusetts Parent Teachers Association; and in addition

56 thereto the president of the Massachusetts Teachers Association and the president of the  
57 American Federation of Teachers/Massachusetts;

58 (5) three parents jointly selected by the Massachusetts Teachers Association, the  
59 American Federation of Teachers/Massachusetts, and the Parent Teachers Association, one of  
60 whom is a parent or guardian of a student enrolled in a public school that is in a school district in  
61 what has been designated as a “gateway city,” as defined by section 3A of chapter 23A, one of  
62 whom is a parent or guardian of a student enrolled in a public school that is located in a suburban  
63 school district in the commonwealth, and one of whom is the parent or guardian of a student  
64 enrolled in a public school that is located in a rural school district in the commonwealth.

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

68 (7) additionally, in accordance Section 1E of Chapter 15 one or more students from the  
69 Student Advisory Council shall serve on this task force.

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

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

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

86 a. whether the system of assessments currently in use or under consideration are  
87 effectuating the goal of providing a quality public education system in which (1) all pupils are  
88 engaged fully in learning as an inherently meaningful and enjoyable activity without threats to  
89 their sense of security or self-esteem and (2) the processes for establishing and achieving specific  
90 educational performance goals for pupils, for monitoring progress toward those goals, and for  
91 fully engaging educators in these processes are effective and do not detract from the goals set  
92 forth in section 1 of chapter 69.

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

98           c.       A review of the use and efficacy of technology to achieve the goals and intentions  
99 set forth in chapter 69, section 1, as amended, in relation to classroom instruction and  
100 assessment, the current capacity of school districts in relation to the use of technology in  
101 classroom instruction and assessment, and the cost of achieving a level of technology capacity in  
102 school districts sufficient to achieve the goals and intentions set forth in chapter 69, section 1, as  
103 amended;

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

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

109           Section 5. The Department will make all information requested by any member of the  
110 Task Force readily available in a timely manner with due diligence. The task force shall issue a  
111 final report to the general court by filing same with the clerks of the senate and house of  
112 representatives no later than eighteen months after the task force organizes. Prior to issuing its  
113 final report, the task force shall hold at least six public hearings, in which members of the task  
114 force shall be present, in locations that provide opportunities for residents from all geographic  
115 regions of the commonwealth to testify. The commissioner shall provide a summary of the  
116 transcribed hearings.