

HOUSE No. 570

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker and Susannah M. Whipps

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

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

An Act to place a moratorium on high stakes testing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/18/2021</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/18/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/18/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/19/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/19/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/22/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/24/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/24/2021</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/24/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>2/25/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/26/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>2/26/2021</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>2/26/2021</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/26/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/26/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/26/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>3/10/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>3/29/2021</i>

HOUSE No. 570

By Representatives Decker of Cambridge and Whipps of Athol, a petition (accompanied by bill, House, No. 570) of Marjorie C. Decker, Susannah M. Whipps and others for legislation to place a moratorium on high stakes testing and to direct the State Auditor to investigate the Department of Elementary and Secondary Education. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 431 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to place a moratorium on high stakes testing.

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

1 SECTION 1. Notwithstanding subsection (i) of section one D of chapter 69 of the
2 General Laws, as appearing in the 2018 Official Edition, during the next three full school years
3 following the effective date of this act, the requirement that a student must demonstrate mastery
4 of a common core of skills, competencies and knowledge as measured by Massachusetts
5 Comprehensive Assessment System or any other named statewide standardized assessment shall
6 not be required as a condition for high school graduation.

7 SECTION 2. Notwithstanding the provisions of any general law, special law, regulation,
8 or collective bargaining agreement to the contrary, during the next three full school years
9 following the effective date of this act, the results from student learning measures that inform the

10 educator plan or self-assessment shall not be used, in whole or in part, in an educator’s formative
11 evaluation, formative assessment, or summative evaluation.

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

15 SECTION 4. The department of elementary and secondary education shall create and
16 implement a grant program within ninety days of the passage of this act to support the
17 establishment of district task forces to develop and pilot alternative assessment models beginning
18 at the start of the 2021-2022 school year. The purpose of the grant program is to enable
19 educators, students, parents and local districts to establish a vision and goals for their public
20 schools; to determine how best to evaluate whether or not their vision and goals are being met;
21 and to identify what resources are needed to realize their vision and goals.

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

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

29 (c) Each task force shall be co-chaired by the chair of the school committee, or the chair’s
30 designee, and the president of the local education association, or the president’s designee. In
31 addition to the co-chairs, the task force composition shall consist of no more than nine members

32 of the community, parents, school staff including administrators and educators, and students as
33 appropriate. The task forces may convene within thirty days of notification by the department
34 that a grant has been awarded to the district.

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

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

40 SECTION 5. Chapter 11 of the General Laws, as appearing in the 2018 Official Edition,
41 is hereby amended by inserting after section 17 the following section:-

42 Section 18. The state auditor shall investigate and audit the Department of Elementary
43 and Secondary Education, established under section 1A of chapter 69 of the General Laws, once
44 every three years beginning July 1, 2021 and if the state auditor deems it necessary shall conduct
45 an investigation more often. The audit and investigation shall include, but not limited to, contract
46 bid practices, internal financial and practice reviews and controls, contract compliance,
47 specifically review the current and former contracts between the department and Measured
48 Progress as well as any subcontractors of said contract, including but not limited to Pearson, and
49 review any other issues the state auditor deems appropriate to investigate. The state auditor shall
50 issue guidance for future contracts to be executed with a nonprofit based in Massachusetts with
51 extensive knowledge of the educational system of the Commonwealth. Upon completion of the
52 report, a copy shall be filed with the Clerk of the House of Representatives, the Clerk of the

- 53 Senate, the Joint Committee on Education, the House Committee on Ways & Means and the
- 54 Senate Committee on Ways & Means.