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**TESTIMONY ON 13-H 5277,
 RELATING TO HIGH STAKES TESTING
 February 27, 2013**

The RI ACLU strongly supports this bill, which would bar the use of statewide written standardized test assessments to prevent students from graduating, and would require that appropriate support services be provided to students instead.

In support of our position, we offer two documents. The first, below, is a chart from RIDE’s NECAP Guidance Manual showing the improvement that students who “fail” the test must achieve in order to “pass” on the retest. The chart, we believe, demonstrates as well as anything else just how arbitrary the testing score requirements are.

Table 2.0 Minimum Score Needed on Subsequent NECAP Mathematics Test to meet the standard for Progress Toward Proficiency					
Initial Score	Required Score	Initial Score	Required Score	Initial Score	Required Score
1100	1118	1112	1125	1124	1130
1101	1118	1113	1126	1125	11330
1102	1118	1114	1126	1126	1131
1103	1119	1115	1127	1127	1132
1104	1120	1116	1127	1128	1133
1105	1120	1117	1127	1129	Partially Prof.
1106	1121	1118	1128	1130	Partially Prof.
1107	1122	1119	1128	1131	Partially Prof.
1108	1123	1120	1128	1132	Partially Prof.
1109	1123	1121	1129	1133	Partially Prof.
1110	1124	1122	1129		
1111	1125	1123	1129		

As you can see, students who score 1118 on the math NECAP retest can get a diploma – if their initial score was 1100-1102. Yet students who scored 1118 on their first test won't get a diploma unless they get at least 1128 their second time around. And if a student scores 1129 or above the first time, they’re in, but if they got 1128 the first time, they need to score 1133 on the retest to qualify. For students concerned about failing the test, then, they may want to consider tanking the test the first time in order to have a better chance the second time around.

The second document, attached, consists of nine questions taken from publicly-posted sample and practice NECAP questions from the past two years. We are extremely curious to see how well committee members do answering these test questions. Yes, there are certainly easier ones on the test, but considering that the difference between passing and not passing can boil down to getting just a few more questions right, it is useful for members to see what some of those questions are.

The ACLU urges the committee’s support of this important legislation. Don’t send thousands of teenagers to the unemployment line based on their answers to a few test questions.