

January 20, 2015

Council on Elementary and Secondary Education  
Rhode Island Department of Education  
255 Westminster Street  
Providence, RI 02903

Dear Members of the Council on Elementary and Secondary Education:

We are writing to express deep concerns about guidance that the Commissioner of Education has provided this week to school districts about the implementation of the PARCC exam. We request that the Council take immediate action to address the troubling issues raised by this guidance.

Specifically, in her weekly field memo, the Commissioner has advised school districts they may begin using the PARCC as a high stakes test for graduation in 2017 instead of 2020, despite the Council's decision only a week ago to table for further consideration proposed regulations that would have allowed just that. Just as troubling, the field memo further authorizes school districts – even before 2017 – to penalize students for their PARCC scores in other ways, opening up an entirely new and controversial use of the PARCC assessment without, as far as we know, any public or Council discussion.

Last week, as you recall, the ACLU of Rhode Island, the RI Disability Law Center, and the RI Teachers of English Language Learners objected to the Council's plans to revise its diploma regulations to allow school districts, on a discretionary basis, to begin imposing a high stakes testing requirement on students in 2017, rather than in 2020 as the initial draft of the regulations provided. A number of Council members seemed surprised by the revised regulations and by RIDE's view that the draft regulations implicitly allowed school districts to begin high stakes testing before 2020, prompting the Council to table the proposal.

As we noted at the Council's meeting, it was our understanding from the Council's earlier discussion of the draft regulations that members had made a very deliberate decision to hold off high stakes testing until 2020. There appeared to be a clear recognition that more than a few years lead time would be necessary to try to ensure that students were being provided the necessary supports to adequately prepare for this entirely new testing mechanism. We also noted that allowing some school districts to begin high stakes testing in 2017, while others waited until 2020, would promote a two-tiered system where students' zip codes would determine whether their results on a state test would prevent them from graduating.

We were reassured by the Council's apparent concerns about RIDE's position and its decision to table the regulations. But the Commissioner's field memo has immediately brought those concerns back to the surface before the Council has even had a chance to discuss them in detail. While we recognize that the Council may, and hopefully will, quickly overturn that position, the field memo can only promote the sort of confusion previously generated by the Department's ever-changing standards on NECAP. Before there are any further misunderstandings, we believe it is essential that the Council amend the proposed regulations at its next meeting to make explicit that no school district may use high stakes testing until 2020.

Completely separate from its discussion of PARCC high-stakes testing use as early as 2017, the field memo is extremely troubling for another reason. For the first time that we are aware, the memo advises superintendents that schools and school districts will have the discretion "to use PARCC results as a component in determining students' grades." The memo further indicates that test results can be used for this purpose (and also be placed on student transcripts) *beginning as early as the 2015-16 school year*.

As was true with the NECAP, we understood that the PARCC would be used for a variety of purposes: to help provide better decision-making about student placement and services and supports, to promote school accountability and assist teachers and administrators in pinpointing possible areas of weakness in instruction that the school could focus on, to help the state in providing instructional guidance, to inform parents about student progress, and ultimately (and over our objections) as a graduation prerequisite. However, during the many years of controversy over the plans to use NECAP as a graduation requirement, we had never heard anybody suggest that schools could also use NECAP scores to *determine a student's grades*. Nor have we been aware of any such discussion about the PARCC.

This, we submit, is an extraordinarily significant addition to the arsenal of uses for the PARCC assessment. It is one that deserves and requires careful and thoughtful consideration, for it once again creates the scenario where the results on a statewide test – and one that has been touted as promoting uniformity – will have vastly different consequences depending on what school district a student attends. Schools could assign different PARCC cut-off scores as passing grades, or give differing weight to the PARCC scores in determining a student's grade in a tested subject, essentially dictating the meaning of a student's score on the PARCC on their own terms rather than in a uniform statewide manner.

Worse, the field memo authorizes school districts to use the test in this punitive manner a little more than a year from now, while the PARCC is still getting off the ground. We would expect that before allowing PARCC to be used for such consequential and punitive purposes, RIDE would be spending the coming five years monitoring the test's implementation to ensure there was adequate teacher preparation and curriculum development, equitable computer training and access for all, and fair implementation for English Language Learners and students with disabilities. Instead, the Commissioner's memo is encouraging school districts – many of whom, by RIDE's own standards, failed

to meet basic accountability standards with the NECAP – to be demanding accountability from *the students* (not themselves) on this new test in a manner that can only be described as exceedingly premature.

Two months ago, when the Council first proposed a high stakes testing moratorium until 2020, many of us heaved a sigh of relief that there would finally be a brief respite from the long and exhausting debates that had consumed both the Board of Education and the public for so many years, and that all of us working to improve educational outcomes could spend some time focusing on issues that really mattered. However, in light of both this latest memo from the Commissioner and RIDE's related attempt last month to amend the regulations to speed up high stakes testing to 2017, it appears we were mistaken. It is now up to the Council to reinstate the respite we thought had been proposed.

In addition to making clear that school districts may not use the PARCC as a high stakes testing requirement until 2020, we urge the Council to bar school districts from using the PARCC as a factor in student grades or placing their scores on student transcripts. We appreciate your prompt attention to these important issues.

For ease of reference, we have attached the portion of the Commissioner's memo dealing with PARCC and highlighted some of the problematic commentary.

Sincerely,

Steven Brown - American Civil Liberties Union of Rhode Island

Anne Mulready - Rhode Island Disability Law Center

Veronika Kot - Rhode Island Legal Services

Nancy Cloud - Rhode Island Teachers of English Language Learners

Sarath Suong - Providence Youth Student Movement

Maggi Rogers - George Wiley Center

Xilian Sansoucy - Young Voices

Jean Ann Giuliano – Parents Across Rhode Island

Robert Houghtaling – Eastern States Youth to Youth

cc: Commissioner Deborah Gist  
The Hon. Gina Raimondo

Enclosure

## **Notes from Commissioner Gist**

### **1. RIDE, RISSA leadership develop message points on PARCC assessments and parental refusal**

I have been meeting with the leadership team of the Rhode Island School Superintendents' Association to develop key message points regarding families and students who have concerns about our state assessments. We have developed these four key message points to guide you in your communications with families and with your community:

We expect all students to participate in state assessments, which are part of the process of education in Rhode Island public schools.

There is no formal procedure for parents to remove their children from participation in any school activities, including state assessments.

We encourage school leaders to meet personally with parents who express a concern about state assessments in order to communicate benefits, to correct misinformation, and to encourage participation.

Students attending school during days of administration of state assessments, including make-up days, will participate in the assessment process.

I encourage you to share these message points with your leadership team and with others in your school community.

Some of you have contacted RIDE with specific questions

about PARCC assessments. We are responding personally to each inquiry, but I want to share with you our responses to some of the questions:

*Can we require students to participate in PARCC assessments?*

Yes. School districts can have policies requiring participation. For example, school districts or schools can decide to use PARCC participation as one part of determining a student's grade in a course. **At least for this school year, school districts and schools cannot use PARCC scores or achievement levels as components in determining a student's grade** because these results will not be available during the current school year.

*Can schools or school districts use PARCC as a graduation requirement?*

No. **Schools and school districts cannot use PARCC participation or PARCC results as a graduation requirement *until the Class of 2017.***

*Must PARCC results appear on a student's high-school transcript?*

Yes. State-assessment results will appear on high-school transcripts. We will not have scores or achievement levels available during the current school year, so the earliest PARCC results on transcripts will be for the Class of 2016.

*What happens to students who do not participate in PARCC assessments? Will they receive a score of "0"?*

We are developing guidance on this matter, and we will send the guidance to LEAs next week.

*Will nonparticipating students have any effect on school classifications?*

As federal law sets forth, schools must attain a participation rate of 95 percent or better. We are developing guidance as to how we will determine participation rates and whether participation rates will affect school classifications during the first year of PARCC assessments.

*What happens if proficiency rates go down because of PARCC?*

PARCC is a new assessment this year, and we recognize that there may be a statewide decline in proficiency rates. We will not measure PARCC results against the results of our previous state assessments. The proficiency rates your child or your school achieves on PARCC will set a new baseline or starting point. Going forward, we can use these baselines to see whether our state as a whole, our schools, and our students are making progress.

*Will PARCC affect my child's grades?*

This year, we will not have PARCC results during the current school year, so PARCC results will not affect your child's grade in this school year. **The scores and achievement levels students attain on PARCC assessments this year will set a baseline or starting point that we will use to measure**

**progress going forward. In future years, schools and school districts may decide, if they so desire, to use PARCC results as a component in determining students' grades.**

*Will PARCC results affect teacher evaluations?*

Yes, but the results for this school year will set a baseline.

We base evaluations on growth and improvement, so PARCC assessments will not affect effect evaluations until we have three years of results – enough to measure improvement over time.

As noted above, we are developing guidance on how we will determine participation rates during the first year of PARCC assessments, and I will share this guidance with you. I will keep you informed about any developments on this matter, and I will stay in contact with the association leadership regarding messaging and further responses to inquiries.