

May 12, 2015

John Bento, Chair
Bristol-Warren School Committee
151 State Street
Bristol, RI 02809

Dear Chairman Bento:

In light of significant confusion that has arisen in the past few months regarding implementation of the PARCC test, parents' ability to have their children opt out of taking it, and the use of PARCC scores in graduation and grading decisions, our 14 organizations respectfully request careful consideration of this letter by you and your school district.

As you know, at last year's session, the Rhode Island legislature prohibited the use of any standardized test as a graduation requirement until 2017. Subsequently, the Council on Elementary and Secondary Education (CESE) voted to recommend delaying high-stake usage of any test (in this case, the PARCC) until 2020. After that vote, however, some LEAs requested permission to use the test as a graduation requirement earlier than 2020. The CESE revised its policy to permit this to occur, at District discretion, as early as 2017. A subsequent field memo from Commissioner Gist went even further and suggested that school districts could use PARCC scores as grade components as soon as the upcoming 2015-2016 school year, even though cut scores have not yet even been determined.

The purpose of this letter is to ensure that School Committee decisions whether to use PARCC tests as a component of graduation or grade requirements prior to 2020 are based on full consideration of all the potential implications of such decisions and all the legal and practical requirements that would accompany them. We firmly believe it would be problematic for a school district to use PARCC scores for either graduation or grading purposes prior to the mandated 2020 date contained in state regulations.

First, the rationale for the 2020 timeline initially put forth by the Commissioner and adopted by the CESE stressed that it was intended to allow RIDE and the LEAs adequate time to put the instructional and other supports in place to give every student a fair chance to pass the PARCC. These opportunities include multiple years of experience taking the new tests, prior warning to families of students who are struggling with achieving adequate scores and, most importantly, adequate time to implement supports and services for those students, none of which can be adequately accomplished with an expedited timeframe. The Commissioner appeared to acknowledge as much in initially proposing a 2020 start date.¹

¹ At the August 2014 CESE meeting where the 2020 date was first proposed, the Commissioner commented: "Those students are going into 7th grade this year; so implementing it for that class would mean that we would have two years of those students having experience with the PARCC assessment in middle school. Which would mean that they would have instruction and intervention and supports as

It is difficult to see how all of this could happen prior to 2020. Importantly, the state's proficiency based graduation requirements specify the following student support systems that must be fully in place:

- All LEAs must use the RIDE early warning system to identify students at-risk for academic failure and dropout no later than the sixth grade year. Critically, families of all students must be notified by sixth grade of local graduation requirements. Obviously the class of 2017 could not have been so notified as the PARCC was not even in use at the time. More importantly, the class of 2017 could not have been notified at entry into 9th grade about minimum achievement required on these tests (as required by the regulations) since cut scores have yet to be established.²

- All students must have an individual learning plan (ILP) beginning no later than the sixth grade (see the regulations for complete guidance on the nature of an ILP).

- All LEAs must provide additional academic and instructional support and research-based interventions for all students not on track to meet the graduation requirements. (See the regulations for complete information about the progress plan each of these students must have and how they relate to the student's ILP).

- While students with disabilities are expected to present evidence of successful completion of the graduation requirements, under federal law they have the right to remain in school until the age of 21. [L-6-3.8(d)]

- While students identified as English language learners (ELLs) are expected to present evidence of successful completion of the graduation requirements, some of these students will qualify to use an alternative assessment(s), which the Commissioner is required to identify, in order to determine their academic proficiency, and may continue working

necessary, in middle school prior to their arrival in high school. It also means that we'll be able to tell them, and their families very clearly, before they come to our high schools, not only what the requirement is, but also where they are in terms of progress towards meeting their requirement. I think that importantly, we're making sure that for those students, the districts have done everything they need to do to be fully prepared for them to be successful once they get there."

² **L-6-3.7. Local educational agency notification to students, families, and community members of the requirements for graduation.**

(a) LEAs shall provide full and effective notice of the state and local graduation requirements to administrators, teachers, students, families, and members of the community. This information must be provided to all members of each class upon their entry to sixth grade and again upon their entry to ninth grade (or at the time of enrollment into the LEA). Full and effective notice of the minimum achievement level on designated statewide assessments for graduation purposes, as described in section L-6-3.3 of these Regulations, must be provided to students and their families no later than October 1 in the year in which said students enter the ninth grade (or at the time of enrollment into the LEA). LEAs shall provide notice of the requirements to students enrolled by the LEA in non-public schools or programs and to students attending school in juvenile correction programs.

toward successful completion of Rhode Island graduation requirements beyond the equivalent of the 12th grade year. [L-6-3.8(e)]

- Any student not receiving appropriately individualized supports in accordance with this guidance has the right to appeal. [L-6-3.8(f)]

While our fundamental stance that the PARCC should not be used as a graduation or grading requirement remains steadfast, we want to support LEA efforts to carefully put in place the kinds of educational and support processes that give all students, and especially vulnerable students, the best possible chance to meet any standard set for graduation. Implementing the PARCC as a graduation requirement at an earlier rather than later date jeopardizes that possibility and raises a multitude of legal compliance issues that should be carefully considered.

It is worth noting that, less than a year ago, the Rhode Island School Superintendents' Association (RISSA) adopted a resolution raising similar concerns. Noting that "the graduating class of 2019 is the first graduating class that has the opportunity to take all PARCC Assessments currently being considered for graduation . . . while they are enrolled in the particular content area courses as is the intended design of PARCC," the resolution called for

a moratorium on the use of any new State Assessment including the PARCC, as a graduation requirement . . . until specific criteria approved by RISSA and other stakeholders are developed and met including, but not limited to, validity, reliability, standard setting, and the opportunity to learn the Common Core State Standards assessed by the PARCC.

We therefore call upon your school district to abide by the standards contained in the current regulations and avoid any use of PARCC scores for graduation or grading purposes until the 2020 date established in the regulations. Only in this way does the possibility exist that adequate notice will be provided to parents and students and the school district will truly be able to ensure it is providing the necessary individualized supports to students that the regulations demand.

We ask that you apprise us of any decisions you make in this regard. In the meantime, members of our organizations would be happy to make themselves available to discuss these issues in more depth with your school committee. If you would be interested in that or if you have any questions about this letter, please feel free to contact Rick Richards from the Coalition to Defend Public Education at rickrichards@gmail.com.

Thank you in advance for reviewing these concerns, and we hope that you will give them your thorough consideration.

Sincerely,

Rick Richards - Coalition to Defend Public Education
Steven Brown - American Civil Liberties Union of Rhode Island
Joanne Quinn – The Autism Project
Fred Ordoñez – Direct Action for Rights and Equality
Maggi Rogers – George Wiley Center
Jim Vincent – NAACP, Providence Branch
Rick Harris – RI Chapter, National Association of Social Workers, RI Chapter
Lisa Conlan – Parent Support Network of Rhode Island
Jean Ann Guliano – Parents Across Rhode Island
Zack Mezera – Providence Student Union
Anne Mulready – Rhode Island Disability Law Center
Nancy Cloud - Rhode Island Teachers of English Language Learners
Brother Michael Reis – Tides Family Services
Karen Feldman - Young Voices

cc: School District Superintendent