



**NJPSA Testimony on A-4562 (Diegnan)/S-2844 (Gill/Turner)
Before the Assembly Education Committee
December 14, 2015**

For the past 15 years, federal law (No Child Left Behind/Elementary and Secondary Education Act), has required states to administer state standardized assessments in language arts and mathematics to every student in grades three through eight on an annual basis, and once in grades nine through twelve. This requirement was established to ensure that an independent review of EACH child's progress, as well as each school's occurs. With limited exceptions, all students in these grades must take the state's chosen standardized test(s), currently PARCC in NJ, with each school meeting a target participation rate of 95 percent. Congress set the 95 percent student participation rate in order to ensure that the performance of every student in every subgroup was examined and learning needs addressed by schools and districts. Since 2011-12, New Jersey has operated its educational system under an ESEA Waiver which permitted us to modify unrealistic annual performance targets for student achievement set under NCLB/ESEA, but NOT to eliminate testing or participation rate requirements. New Jersey state law further requires students to take state tests for graduation.

Just last week, after years of inaction, Congress acted to reauthorize the ESEA, now called the Every Student Succeeds Act, with some significant changes in state accountability options, a curtailment of the federal role in school reforms, funding approaches, program consolidation, and approaches to struggling schools. One thing that did NOT change was the testing requirements just described or the 95% participation rate in state assessments.

NJPSA believes that testing is an important component of the learning process assisting educators, students and parents in understanding each student's learning progress and areas where additional help is needed. We further believe that transparency concerning the student testing experience is important. This includes comprehensive notice to parents about assessments, the release of sample test questions, and information concerning test administration and student participation.

Currently, districts report and the NJDOE collects data on student participation rates for federal compliance purposes from schools via NJSMART, the State's data collection system after a test administration is completed. Under federal requirements, participation rate calculations must include all state mandated tests for a grade level – not only PARCC. This means assessments for special needs and bilingual students who may be taking an alternate form of assessment pursuant to a different testing schedule.

Once calculated, districts' annual participation rates on state assessments are then shared with the public, by district, on the School Performance Reports issued by the NJDOE. This process allows districts, and the Department, to **uniformly** identify and collect information on why a student has not participated on the statewide assessment. The 'why' can include a federal exclusion, such as where a child is limited English proficient, has a severe learning disability, or has not attended that school for a full academic year. The 'why' can also include parental refusal, or even student illness.

Accordingly, NJPSA believes that the proposed requirement for local districts to post student participation rates in the PARCC assessments on their websites is at a minimum duplicative and may prove problematic. We worry that the expedited data process required under the bill may not provide as complete a picture as to why a student was unable to participate in an assessment. This in turn, may create uniformity issues in reporting between districts. We also worry that we are creating two separate reporting processes with two sets of results that may be confusing.

In addition, the timelines established in the bill are not reasonable since districts need time to investigate each case of non-participation, determine the cause and transmit that information to the NJDOE according to existing “business rules” for federal compliance. A local reporting requirement needs to be consistent with current compliance requirements, uniformly reported, and accurate or districts could inadvertently add to the level of misinformation about PARCC administration in our State. **For these reasons, we ask that A-4562/S-2844 be held to address and align the legislation to existing practice.**