

**2014 -- H 8363 AS AMENDED**

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LC006030  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2014**

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A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

Introduced By: Representatives Amore, O'Brien, Marshall, Edwards, and O'Grady

Date Introduced: June 19, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Preamble

2 WHEREAS, Rhode Island is the only state that uses the New England Common  
3 Assessment Program ("NECAP") as a requirement for graduation. The other states that  
4 administer the NECAP (New Hampshire, Vermont and Maine) use the test as a means of  
5 measuring schools' and systems' performance, not individual student's diploma readiness.

6 WHEREAS, The results of the NECAP testing for the Rhode Island graduating class of  
7 2014 reveal that students with special needs and English-language learners, are disproportionately  
8 disadvantaged. The NECAP may not be the most appropriate test to assess the knowledge of  
9 students with special needs or English language learners.

10 WHEREAS, A design flaw of the NECAP is that it is administered in the fall of the  
11 junior year, which adversely affects students who are poor, English language learners and special  
12 needs students as they suffer from the biggest "summer learning loss."

13 WHEREAS, The NECAP is not aligned with the Common Core educational standards  
14 that are being implemented at this time. As such, the NECAP is not measuring what the educators  
15 believe is essential in the common core for students to learn.

16 WHEREAS, The Commonwealth of Massachusetts reports that a key to their success in  
17 implementing the Massachusetts Comprehensive Assessment System ("MCAS") was utilizing a  
18 test that was aligned to a curriculum that was coordinated with the appropriate professional  
19 development for their teachers. After about ten years with that curriculum, the MCAS was used

1 as a graduation requirement. The test, alone, did not improve Massachusetts' student outcomes.

2 WHEREAS, If Rhode Island is to experience the student achievement outcomes of  
3 Massachusetts, the Common Core standards need to fully be in place for students in the lower  
4 grades as they advance. These younger learners will then be tested on their progress through the  
5 years. As those students reach high school, the expectation of a common core-aligned test as a  
6 graduation requirement would more closely follow the path of Massachusetts.

7 SECTION 2. Section 16-7.1-13 of the General Laws in Chapter 16-7.1 entitled "The Paul  
8 W. Crowley Rhode Island Student Investment Initiative" is hereby repealed.

9 ~~**16-7.1-13. State leadership in conducting annual assessments of student**~~  
10 ~~**performance.**~~ ~~Setting high standards for student performance must be paired with related~~  
11 ~~assessments that will determine what progress the state is making toward bringing all children to~~  
12 ~~high levels of achievement. A state assessment program shall be continued and expanded in core~~  
13 ~~areas (mathematics, reading, writing and health). The program shall include performance~~  
14 ~~standards and an annual report that disaggregates performance by race, poverty, native language~~  
15 ~~and gender. The general assembly shall annually appropriate funds to support the programs, and~~  
16 ~~the amount shall be recalculated annually. The commissioner of education shall implement the~~  
17 ~~state assessment program.~~

18 SECTION 3. Chapter 16-97 of the General Laws entitled "The Rhode Island Board of  
19 Education Act" is hereby amended by adding thereto the following section:

20 **16-97-8. Assessment of student performance. -- (a) The commissioner of elementary**  
21 and secondary education shall implement the state assessment program. The program shall  
22 include performance standards and an annual report that disaggregates performance by race,  
23 poverty, native language, and gender.

24 (b) Prior to the graduating class of 2017, no state assessment conducted pursuant to this  
25 chapter, and no other standardized testing program or assessment, shall be used to determine a  
26 student's eligibility to graduate from high school. Any such assessments implemented prior to the  
27 graduating class of 2017 shall be used to promote school improvement and to target remediation  
28 programs to individual students and groups of students.

29 SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

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1           This act would amend the method by which the state assessment program would be  
2 implemented in public schools. The act would provide that no state assessment conducted  
3 pursuant to chapter 16-97 and prior to the graduating class of 2017, would be used to determine a  
4 student's eligibility to graduate from high school.

5           This act would take effect upon passage.

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