



Statement On Impact Of Proposed Graduation Policies On At-Risk Students

Education Law Center appreciates the opportunity to testify today to raise concerns about the impact on New Jersey's most vulnerable students of the NJ Department of Education's (NJDOE) proposed changes to the state's high school graduation policies.

Since 2002, the NJDOE has required students to achieve a passing score on the language arts and math sections of the High School Proficiency Assessment (HSPA) in order to earn a diploma. Students who did not pass HSPA after two attempts could satisfy state graduation standards by passing the Alternative High School Assessment (AHSA) or, since 2010, by successfully meeting the criteria of the Department's graduation appeals process. These multiple pathways to a diploma have helped sustain NJ's steadily increasing high school graduation rates.

As part of the transition to the new PARCC assessments, the NJDOE is phasing out both the HSPA and the AHSA after this year. In several memos to school districts in recent months, the NJDOE has proposed implementing new graduation standards beginning with the graduating class of 2016 (current juniors). The Department has proposed three ways a student can satisfy state graduation requirements to obtain a diploma: meet the yet-to-be established cut scores on the new PARCC high school exams, meet the designated scores on a number of commercial college entrance or placement exams, or satisfy the Department's appeals process.

These proposed graduation policies will perhaps have the most significant impact on the thousands of at-risk students who have, in prior years, utilized the ASHA and the existing appeals process to obtain a diploma. Approximately 10-15,000 students – many of whom are English language learners (ELL), low-income and special needs students – have used these pathways annually. Making sure that these students continue to have multiple opportunities to succeed must remain a top priority.

Specifically, we bring to your attention the following issues:

1) PARCC Scores: The NJDOE has proposed setting “cut scores” for the PARCC exams for use in making “graduation determinations in the Fall of 2015.” The Department needs to clarify how and when the graduation standard will be set for the PARCC assessments and whether this proposed standard corresponds to the existing passing score on the HSPA or represents a different standard. The Department also needs to clarify whether taking the PARCC exams is a prerequisite for students to utilize the other NJDOE-designated criteria for determining eligibility for graduation. This is an important consideration for teachers and schools working with at-risk students, ELLs, students with disabilities and students with other special needs.

2) Accommodations for English Language Learners: The current assessment system allows English language learners to take the AHSA in their native language. It also provides multiple opportunities for students to retake the HSPA or AHSA. These multiple opportunities are especially important for ELLs, since as noted, NJDOE data indicate that more than half of all

ELL students typically did not pass the HSPA on their first attempt and relied heavily on the AHSA to satisfy state standards.

In contrast, the proposed policies state that PARCC English Language Arts assessments “will be available in English only,” including for beginning and intermediate ELL students. Under the new plan, current ELL students who are juniors would have only one chance to take the most advanced PARCC language arts exam, the 11th grade English Language Arts test. Given the phase-out of the AHSA, the Department must address how it will provide equal accommodations and opportunities for ELL students under the new graduation policies.

3) Commercial College Entrance Exams: The NJDOE needs to clarify the basis for utilizing commercial tests designed as college entrance exams to assess student mastery of state curriculum standards. The use of these tests, whose scores have been found to closely correlate to income levels, is of particular concern in our high needs districts. For example, NJDOE’s proposed graduation cut scores for the SAT are 400 on the math section and 400 on the verbal. In 2013, about 60% of high school seniors in NJ’s poorest districts took the SAT and had average scores of 410M and 385V. More than one-third didn’t take the SAT at all. This means about 6000 students had SAT scores right on the margins, and another 4000 didn’t take the test.

A recent report from Paterson indicates many students able to pass the HSPA may struggle to meet the new standards. Over the past decade, proficiency rates for Paterson students on the language arts portion of the HSPA rose from 54% to 74%. But of the nearly 600 students who took the SAT last spring, 63% scored below the proposed graduation threshold in language arts, and 52% scored below the math cutoff. Going forward, these students will likely have to rely disproportionately on the appeals process to obtain a diploma.

The NJDOE also needs to address how all students, including low-income students, will be guaranteed equal access to commercial tests that require a fee.

4) The Portfolio Appeals Process: NJ's graduation statute requires an alternative assessment for seniors who have not passed the designated state graduation exam. The AHSA has fulfilled that requirement and is used annually by approximately 10,000 or more students to meet state graduation standards. With the elimination of the AHSA, a significant number of these students will have to rely on the NJDOE's "portfolio appeals process" as an alternative. The Department has also acknowledged that as many as 30,000 current juniors will not have an appropriate PARCC math exam available to meet the math standard. Many of these students too may need to use the appeals process, which will have to be significantly expanded and which potentially represents a significant new burden on school guidance departments, especially in high needs districts with large numbers of appeals. To date, the Department has provided little information about the timelines and procedures for accessing the appeals process or the criteria for determining proficiency through that process. Such guidelines are necessary for a full picture of the policies being put in place.

Finally, we note that the State Board has not adopted regulations revising the graduation policy to conform to the NJDOE proposals. We urge the Board to direct NJDOE to immediately propose regulations that codify all elements of the new policy, including the portfolio appeals process.

As NJDOE moves to implement new graduation policies, it is imperative that the impact on students who are at-risk, face significant challenges, or who have special needs remain front

and center. NJ's high school graduation policy must be fair and equitable, including multiple pathways to secure a high school diploma.

Respectfully submitted,

Stan Karp
Director, Secondary Reform Project
Education Law Center
60 Park Place, Suite 300
Newark, NJ 07102
973-624-1815, x28
973-624-7339 (fax)
skarp@edlawcenter.org
www.edlawcenter.org