

# Standards and Assessments: Proposed Notice of Substantial Changes

**October 21, 2019**

**New Jersey Department of Education**

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# Explanation of Process

## Notice of Substantial Changes to the 2018 Proposed Amendments to N.J.A.C. 6A:8

The Notice of Substantial Changes honors the spirit of the October 2018 agreed-upon proposed changes while adjusting for the legal parameters clarified by the series of court decisions and state laws.

- Upon publication in the New Jersey Register, there will be a 60-day comment period for the Department and State Board to hear feedback relating to only amendments proposed in this notice.
- At adoption, the regulations in the original October 2018 rulemaking package that were not affected by the court decision and amendments included in the Notice of Substantial Changes would be submitted to the State Board for consideration at adoption level.

# Graduation Assessment Requirements: 2019 Legal Timeline

<p><b>December 31, 2018</b></p> <p>The Appellate Division of the Superior Court of New Jersey strikes down New Jersey graduation assessment regulations.</p>	<p><b>February 15, 2019</b></p> <p>Consent Order establishes graduation assessment requirements for the classes of 2019 and 2020 (same that had been in place for the classes of 2017, 2018 and 2019).</p>	<p><b>June 5, 2019</b></p> <p>Amended second Consent Order extends 2019 requirements to the classes of 2021 and 2022.</p>	<p><b>October 2, 2019</b></p> <p>NJDOE proposed a Notice of Substantial Changes to its Oct./Nov. 2018 amendments. The Board tabled the vote and called for a special meeting.</p>	<p><b>October 21, 2019</b></p> <p>NJDOE proposes a Notice of Substantial Changes to its Oct./Nov. 2018 proposed graduation assessment requirements for the classes of 2023, 2024 and 2025.</p>
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# Proposal Summary for Classes of 2023 through 2025 (Current 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> Graders)

The Notice of Substantial Changes honors the spirit of the agreed-upon proposed changes from October 2018, which included State ELA and math tests in two grades in high school, while providing **fair notice to students** and educators and **aligning with Federal and State law**.

**Testing ELA and Math:**  
**Grade 9 for accountability**  
**Grade 11 for graduation assessment requirement**

- Provides continuous line of accountability data for schools and districts from grades 3 through 9
- Decouples use of assessment so 11<sup>th</sup> grade is used to meet graduation requirements and 9<sup>th</sup> is used for school and district accountability

**Establishes ELA 10, Algebra I and Geometry as baselines of rigor\* for graduation assessment**

- Comprehensive assessment will be based on the standards of ELA 10, Algebra I, and Geometry

**Provides menu of options\* for students who take but do not demonstrate proficiency on graduation proficiency test**

- Maintains multiple standardized assessment options for students who take graduation assessment in the 11<sup>th</sup> grade
- Provides smooth and fair transition to a new assessment

\* Provisions added to notice of substantial changes based on September 2019 State Board input:

- The level of rigor (ELA 10, Algebra I and **Geometry**) of the required graduation components will be clearly defined in N.J.A.C. 6A:8
- Starting with the class of 2023, the State Board will approve cut scores on the menu of substitute competency tests, which will be recommended by the Department following robust research and analysis of what cut scores are best aligned to the standard of proficiency in the 11<sup>th</sup> grade ELA and math components
- To access portfolio appeals, students will not have to sit for graduation

# Key Changes to N.J.A.C. 6A:8 Proposals

Topic	October 3, 2018	October 2, 2019	October 21, 2019
<b>High School Assessment Component</b> N.J.A.C. 6A:8-4.1(c)3	<ul style="list-style-type: none"> <li>ELA 9 and 10</li> <li>Alg. I, Geometry, or Alg. II (or the tests that correspond to a student's 9<sup>th</sup> and 10<sup>th</sup> grade math courses)</li> </ul>	<ul style="list-style-type: none"> <li>ELA 9</li> <li>Alg. I, Geometry, or Alg. II (or the test that corresponds to a student's 9<sup>th</sup> grade math courses)</li> </ul>	<ul style="list-style-type: none"> <li>No change from October 2, 2019</li> </ul>
<b>Graduation Assessment Requirements</b> N.J.A.C. 6A:8-5.1(f)1	<ul style="list-style-type: none"> <li>ELA 10</li> <li>Algebra I</li> </ul>	<p>Classes of 2019-2022 (codifies court order):</p> <ul style="list-style-type: none"> <li>ELA 10</li> <li>Algebra I</li> </ul> <p>Classes of 2023-2025:</p> <ul style="list-style-type: none"> <li>Grade 11 graduation proficiency tests in ELA and Math, which will align to the ELA 10 and Algebra I New Jersey Student Learning Standards</li> </ul>	<p>Classes of 2019-2022 (codifies court order):</p> <ul style="list-style-type: none"> <li>No change from October 2, 2019</li> </ul> <p>Classes of 2023-2025:</p> <ul style="list-style-type: none"> <li>Grade 11 graduation proficiency tests in ELA and Math, <b>which will align to the ELA 10, Algebra I and Geometry New Jersey Student Learning Standards</b></li> </ul>
<b>Access to the Menu of Graduation Assessment Options</b> N.J.A.C. 6A:8-5.1(a)7 and N.J.A.C. 6A:8-1.3	<ul style="list-style-type: none"> <li>A student must take, be remediated in, and be offered the opportunity to retake ELA 10 and/or Algebra I, before accessing the menu of substitute competency tests</li> <li>A student may continue to utilize portfolio appeals process</li> </ul>	<p>Classes of 2019-2022 (codifies court order):</p> <ul style="list-style-type: none"> <li>Students must demonstrate a proficiency in ELA 10 and Alg. 1 or utilize the menu of substitute competency tests or complete portfolio appeals</li> </ul> <p>Classes of 2023-2025:</p> <ul style="list-style-type: none"> <li>A student must take, offered access to remediation in, and be offered the opportunity to retake the State graduation proficiency tests in grade 11 before accessing the menu of substitute competency tests or complete portfolio appeals</li> <li>A student may use "banked" results achieved prior to 11<sup>th</sup> grade, on a menu of substitute competency tests if they do not pass the 11<sup>th</sup> grade graduation proficiency tests; State Board will be asked to adopt cut scores proposed by NJDOE</li> </ul>	<p>Classes of 2019-2022 (codifies court order): no change from October 2, 2019</p> <p>Classes of 2023-2025:</p> <ul style="list-style-type: none"> <li>No change in accessing menu of options</li> <li><b>There will not be a sitting requirements to access the portfolio appeals process</b></li> <li>No change in banking results</li> </ul>

# Evolving: Planned Implementation Timeline

Planned Activity	2019-20	2020-21	2021-22	2022-23	2023-24
➤ Issue request for proposal (RFP) ➤ Propose Notice of Substantial Changes					
➤ Implement NJSLA <u>3-10</u> using current contracts					
➤ Implement NJSLA <u>3-9</u> using current contracts*					
➤ Administer 11 <sup>th</sup> grade graduation assessment for (classes of 2023-2025)					
➤ Implement Next Gen Assessment					
➤ Explore Innovative Pilots and Alternatives					

# Questions?

# Thank You!

New Jersey Department of Education Website

[www.state.nj.us/education](http://www.state.nj.us/education)



# Appendix



# Recap of Transition to Next Generation Assessments:

## 2018 NJDOE Activity Timeline

Winter	Spring	Summer	Fall
Governor Murphy tasked the New Jersey Department of Education (NJDOE) to transition to the next generation of assessment statewide assessments.	The NJDOE staff engaged with more than two thousand students, educators, parents and community members to listen and learn about experiences with previous statewide assessments.	The NJDOE published a <a href="#">Summary of Outreach</a> , committed to at least a two-year transition process, and signaled initial assessment system changes for the 2018-19 school year.	Following four months of NJDOE and State Board of Education (SBOE) collaboration, the SBOE voted to propose regulatory amendments.

# Graduation Assessment Requirements

Accordingly, **the classes of 2019, 2020, 2021, and 2022** must utilize the following pathways to satisfy the high school assessment graduation requirements in both ELA and math:

In **ELA**, students must demonstrate proficiency:

- On NJSLA/PARCC ELA 10; ***or***
- By meeting the designated cut score on an alternative assessment such as other high school-level NJSLA/PARCC assessments, the SAT, ACT, or ACCUPLACER as defined in the Graduation Assessment Requirements chart on NJDOE Assessment webpage; ***or***
- By submitting, through the district, a student portfolio appeal to the New Jersey Department of Education.

In **math**, students must demonstrate proficiency:

- On NJSLA/PARCC Algebra I; ***or***
- By meeting the designated cut score on an alternative assessment such as other high school-level NJSLA/PARCC assessments, the SAT, ACT, or ACCUPLACER as defined in the Graduation Assessment Requirements chart on NJDOE Assessment webpage; ***or***
- By submitting, through the district, a student portfolio appeal to the New Jersey Department of Education.

# Reminder: Additional Amendments not Discussed Today, But Included in October 2018 Proposal \*

<b>Throughout rule text</b>	Eliminate most references to PARCC except when discussing ways students can meet graduation assessment requirements
<b>N.J.A.C. 6A:8-3.1(a)4 and 4.1(d)1</b>	Clarify that a student's IEP or 504 plan specifies the individualized accommodations, instructional adaptations, and/or modifications that must be provided.
<b>N.J.A.C. 6A:8-4.1(d)1ii</b>	Allow students in their first year in the US to substitute an ELA assessment with a language proficiency test (i.e., ACCESS for ELLs)
<b>N.J.A.C. 6A:8-4.3(b)</b>	Ensure applicable student results are provided to students, parents, and teachers within 45 days of receiving final reports

# Leading and Evolving by Building on Strengths



**The NJDOE is working to ensure *all* students have equitable access to high-quality education by:**

- Collaborating to review and revise NJSLS
- Delivering tools, including the ELA and math instructional units and Connected Action Roadmap (CAR) training, to ensure access to standards-aligned curriculum and instruction
- Ensuring the assessment system aligns with federal and state laws
- Evolving the state assessment system incrementally and fairly and providing adequate notice to high school students