

SUPERINTENDENT'S SYMPOSIUM ON PARCC AND STUDENT LEARNING-RESOURCES FOR DISTRICTS

Thank you for attending the Superintendent's Symposium on PARCC and Student learning. Included are hardcopies of resources from the NJDOE and other stakeholder organizations.

These resources- as well as numerous others- will be available on the Assessments section of the NJDOE website located at www.state.nj.us/education/assessment/

New Jersey Department of Education

- Today's agenda
- Memo to superintendents: Student Participation in Statewide Assessments:
<http://education.state.nj.us/broadcasts/2015/FEB/10/13123/PARCC%20update%20and%20next%20steps.pdf>
- 20 Facts Parents Need To Know About PARCC
- FAQ for Parents on PARCC: www.state.nj.us/education/assessment/PARCCFAQ.pdf
- PARCC Presentation on Parent and District Reports:
www.state.nj.us/education/sboe/meetings/2015/February/public/PARCC.pdf

New Jersey School Boards Association (NJSBA)

- Frequently Asked Questions about PARCC: www.njsba.org/news/pdfs/parcc-faq.pdf?w=749
- Statutes, Code and Case Law Related to Student Participation in State Testing:
www.njsba.org/resources/legal/pdfs/opt-out-statutes-code.pdf

New Jersey Association of School Administrators (NJASA)

- NJASA Blog: What Parents, Educators and Students Need to Know About PARCC Testing:
<http://njasa.net/Page/1307>

New Jersey Principals and Supervisors Association (NJPSA)

- PARCC Talking Points: www.njpsa.org/?q=content/parcc-talking-points-resources

New Jersey PTA

- PARCC Brochure: www.njpta.org/PARCCTrifold-Digital-FINAL.pdf

SUPERINTENDENT'S SYMPOSIUM ON PARCC AND STUDENT LEARNING

This symposium is designed to assist superintendents, charter school lead persons and school officials with final preparations regarding the PARCC administration, with a focus on messaging student learning connections and student participation strategies.

TIME/LOCATION

- February 20 from 1-3 p.m. at Camden County College, Blackwood Campus, College Drive, Blackwood, NJ 08012

AGENDA

1. NJASA Welcome- Dr. Richard Bozza, NJASA Executive Director
2. Commissioner David Hespe - Testing and Supporting Student learning
3. NJSBA Comments- Dr. Lawrence S. Feinsod, NJSBA Executive Director
4. PARCC as a learning Tool – Bari Erlichson, Chief Performance Officer, NJDOE (approx. 40 min.)
 - a. Vision- PARCC supports learning and is a crucial tool for parents and teachers
 - b. Teacher Reports-
 - i. Best Practice from School Districts- Administrator and School Board Member
 - ii. Resources for Communicating with Stakeholders
 - c. Parent Reports-
 - i. Best Practice from School Districts- Administrators and School Board Members
 - ii. Resources for Communicating with Stakeholders
5. Student Participation in PARCC (approx 45 min.)
 - a. Commissioner Hespe- Context
 - b. Communicating with Stakeholders the Value of PARCC and What to Expect
 - i. Resources and Best Practices- NJASA & NJSBA
 - a. Parent Communications and Concerns-
Dr. Antoinette Rath, NJASA Secretary, Chief Executive Officer of Mt. Laurel Township School District;
Dr. Scott P. McCartney, NJASA Treasurer, Chief Education Officer of Egg Harbor Township School District;
Dr. Jerry M. Jellig, Chief Education Officer, South Brunswick School District
 - b. Legal Facts about PARCC, and New Jersey Education Reform: Dispelling the Myths-
Michael Kaelber, Esq. NJSBA Director, Legal, Policy and Labor Relations
Vince Delucia, Director, Training & Professional Development/Educator in Residence, NJSBA
6. Break Out Sessions (approx 25 Min.)- Separate teams will be set up including one for Legal, one for PR, and one with educational veterans. Each team can engage in their area of expertise with superintendents experiencing specific challenges.



Department of Education

DEPARTMENT OF EDUCATION PO

Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Acting Commissioner

October 30, 2014

TO: Chief School Administrators
Charter School Lead Persons
School Principals

David C. Hespe

FROM:

District and School Test Coordinators
David
Acting Commissioner

RE: Student Participation in the Statewide Assessment Program

We have received a number of inquiries regarding the ability of parents and students to choose to not participate in the statewide assessment program, including the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment. In an effort to clarify school district responsibility in this regard, the Department is providing the following guidance.

The *No Child Left Behind* Act of 2001 requires schools with students in grades three through twelve to demonstrate Adequate Yearly Progress (AYP). In order to make AYP, a school must ensure that assessments have been taken by at least ninety-five percent (95%) of enrolled students in each subgroup, i.e., special education, English language learners, low income, race/ethnicity. Federal funding of key education programs is dependent upon districts meeting this requirement.

In compliance with this federal requirement, N.J.S.A. 18A:7C-1 requires the Commissioner of Education (Commissioner), with approval of the State Board of Education, to establish a program of standards for graduation from secondary school, and such a program shall include, "[t]he development of a Statewide assessment test in reading, writing, and computational skills to be administered to all secondary school pupils..." In addition, N.J.A.C. 6A:8-4.1(a) and (b) provides, "[t]he Commissioner...may implement assessment of student achievement in the State's public schools in any grade(s) and by such assessments as he or she deems appropriate," and the Commissioner "...shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the

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knowledge and skills delineated by the CCCS at grade levels three through 12." Subsection (c) further states that district boards of education "shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments," and subsection (d) confirms that "all students at grade levels three through 12, and at any other grade(s) designated by the Commissioner...shall take appropriate Statewide assessments as scheduled."

Furthermore, in February, 2014, the State Board passed a resolution confirming that district boards of education are obligated to implement the Core Curriculum Content Standards and to "ensure students meet the expectations and proficiency standards as measured by current and future State and local assessments." The resolution can be found at: <http://w-w.w.state.nj.us/education/sboe/meetings/2014/February/public/Resolution%20in%20Support%20of%20the%20Common%20Core.pdf>

In accordance with the above, State law and regulations require all students to take State assessments. For the 2014-2015 school year, the PARCC assessment will replace the prior statewide assessments - the NJASK in grades 3-8 and HSPA in high school; as such, all students shall take the PARCC assessment as scheduled. Since the PARCC assessment is part of the State required educational program, schools are not required to provide an alternative educational program for students who do not participate in the statewide assessment. We encourage all chief school administrators to review the district's discipline and attendance policies to ensure that they address situations that may arise during days that statewide assessments, such as PARCC, are being administered.

In speaking with parents and students, it is perhaps most important to outline the positive reasons that individual students should participate in the PARCC examinations. Throughout a student's educational career, the PARCC assessments will provide parents with important information about their child's progress toward meeting the goal of being college or career ready. The PARCC assessments will, for the first time, provide detailed diagnostic information about each individual student's performance that educators, parents and students can utilize to enhance foundational knowledge and student achievement. PARCC assessments will include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from the assessment will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

DHIBAE/st

c: Members, State Board of Education
Senior Staff
Executive County Superintendents
Executive Directors for Regional Achievement Centers
Executive County Business Officials
NJLEE Group
Garden State Coalition of Schools

20 Facts Parents Need To Know About PARCC

How Did We Get Here?

1. New Jersey has had state assessments for decades, and the federal government has required every state to test 95% of their students in grades 3 to 8 since the No Child Left Behind Act of 2001.
2. The New Jersey State Board of Education adopted the Common Core State Standards (CCSS) in 2010 and the state needed a new state assessment to test the new standards.
3. PARCC, the Partnership for Assessment of Readiness for College and Careers, is a group of 12 states (plus DC) collaborating on a common set of K-12 assessments that cover the CCSS and the skills students need to be successful in college and life.
4. A number of organizations are supporting New Jersey's efforts to implement effective assessments that are aligned with New Jersey's higher educational standards including the New Jersey PTA, and organizations representing principals (NJPSA), superintendents (NJASA), school boards (NJSBA), higher education (NJ Council of County Colleges), and business (NJ Chamber of Commerce).

Why is PARCC Beneficial?

5. PARCC is aligned to the Common Core State Standards in language arts and math and measures how well students can apply their knowledge of concepts rather than memorizing facts. Many New Jersey educators joined hundreds of K-12 and postsecondary educators, content specialists, and assessment experts from across the country to create, review and approve every test item.
6. The computer-based PARCC tests are replacing the former paper-and-pencil-based NJ ASK and HSPA exams, and will test more students and grade levels than the previous assessments (Grades 3-8 in language arts and math and end-of-course exams in language arts grades 9, 10 and 11 and Algebra I, Geometry, and Algebra II).
7. Computer-based assessments are becoming common for today's students with the GED test now computer-based, and the SAT college-entrance exams soon becoming computer-based.
8. The selling of student data was never allowed under the previous tests in New Jersey, and it is not allowed under the PARCC tests. Protections are in place at both the state and federal levels, and through all contracts and agreements, intended to prevent student-identifiable data from being marketed or distributed.
9. PARCC empowers parents by providing informative feedback through the PARCC parent report on whether their children are on track to be properly prepared for college and careers, and provides schools with meaningful data to help improve classroom instruction and raise student performance.
10. A full 70% of students entering New Jersey's county colleges can't begin their college career unless they pay for remediation classes to learn what they should have learned in high school, and many surveys repeatedly find that business leaders feel high school graduates are not

properly prepared for the workforce. The data from the PARCC assessments is designed to help address these issues.

11. Many New Jersey colleges have agreed to accept the College- and Career-Ready Determinations from the PARCC assessment in math and language arts based on new high school tests. This means that students who pass the high school level PARCC tests can enter directly into credit-bearing college courses without remedial coursework.

Are Parents or Students Required to Take PARCC?

12. Neither federal nor state law provides parents with an option regarding participation in the tests. School districts apply their local policies on how they will work with parents and students to address instances where students attend school on test day but refuse to participate in the tests.

What Does PARCC Mean for Students and for Teachers?

13. For students in New Jersey, PARCC is not a "high-stakes" test. The state does not require passing PARCC to advance from one grade to the next.
14. With PARCC, teachers really can't "teach to the test" since it is designed for students to demonstrate their understanding of a concept, versus choosing a multiple-choice or true/false answer or reciting facts from memorization, as was common under previous assessments.
15. For less than 20 percent of teachers who meet specific criteria (such as grades/subjects taught, number of students and time in class, etc.), state law requires a portion of annual evaluations to be based on student growth on state assessments. For 2014-15, PARCC results will count for 10% of those evaluations for educators who meet all criteria.

How Much Time Will PARCC Take?

16. The PARCC tests account for only about 10 hours of a 1,200-hour school year, with most testing done during the school year being the result of decisions made at the local level.
17. PARCC assessments will have two different testing administration windows in the spring, but local districts have the ability to work their schedules as they see fit.

Are We Ready?

18. In the spring of 2014 over 80% of school districts and charter schools across New Jersey, encompassing about 15% of the total students in our public schools, volunteered to take part in field testing for the new PARCC assessments. Results from the field test provided quality experience for addressing device readiness and potential PARCC administration issues.
19. The Department has continuously worked with school districts for over two years, through surveys, information sessions, and site-visits, to ensure schools are tech-ready for the administration in the spring of 2015. In fact, schools have requested computer-based tests for 98% of students, indicating that the vast majority of schools are ready for the administration.
20. Since problems during testing happen each year for a variety of reasons, every school and school district has a test coordinator who is trained to respond to a variety of irregularities that may transpire during test administration. Each irregularity will be handled on a case-by-case basis by the local district, the state education department or the testing vendor.

Parent PARCC Questions Answered

What follows is a series of frequently asked questions about PARCC, the Partnership for Assessment of Readiness for College and Careers. The New Jersey Department of Education wants the public to have access to factual information about our state's new tests. The Department will update this section as needed to reflect any additional questions that may arise.



What is PARCC?

The new PARCC assessments are the most advanced tool that New Jersey has ever had to measure student performance. PARCC is designed to empower parents by providing informative feedback on whether their children are on track to be properly prepared for college and careers. Moreover, the new assessments will –for the first time ever- provide schools with meaningful data to help improve classroom instruction and raise student performance.

PARCC is a group of states that worked together to develop a set of assessments with the shared goal of finding a more effective approach to measure student achievement under the new academic standards in mathematics and English language arts. These new standards, known as the Common Core State Standards, were adopted in 2010 by the New Jersey State Board of Education after a thorough process that involved public participation, as well as advice and input from all sectors of New Jersey's education and business communities.

Hundreds of K-12 and postsecondary educators, content specialists, and assessment experts from across the PARCC states participated in the development of all PARCC testing items. PARCC will cover grades 3-8 in mathematics and English language arts (ELA) and end-of-course exams in ELA grades 9, 10 and 11 and Algebra I, Geometry, and Algebra II.

What is the history of assessments in New Jersey?

New Jersey has had state assessments for decades, going back to the 1970s. In addition, the federal government has *required* every state to test 95% of their students in grades 3 to 8 since the *No Child Left Behind Act of 2001*. Since states are required to test students, New Jersey has taken a leading role in making a commitment to strengthen student knowledge and skills and ensure that the state tests will provide important data to parents and teachers.

How is PARCC different from previous assessments?

The computer-based PARCC tests are replacing the former paper-and-pencil-based NJ ASK and HSPA exams. PARCC assessments will have multiple administrations, and will test more students and grade levels than the previous assessments. They are aligned to the Common Core State Standards and were created to measure how well students can apply their knowledge of concepts rather than memorizing facts. For instance, PARCC assessments require students to solve problems using mathematical reasoning and to be able to model mathematical principals.

The primary complaint educators had with New Jersey's previous paper-and-pencil test, the NJASK, is that it didn't provide useful data to improve instruction. PARCC assessments are designed to provide parents and teachers with a far greater level of informative and useful data to help improve student instruction.

Are students required to take the test?

The Department encourages educators and parents to consider the positive reasons that students should take the PARCC exams. Throughout a child's educational career, the PARCC assessments will provide parents with crucial information about their child's progress toward meeting the goal of being prepared for college and career. For the schooldistrict, teachers and administrators can use the data derived from the tests to pinpoint areas of difficulty and adjust instruction accordingly.

Annual statewide assessments are not new and the state's guidance and requirements regarding student participation has not changed. Historically, neither federal nor state law provides parents with an option regarding participation in the tests. The federal government requires 95% of students to be tested annually in grades 3 to 8. Schools that don't meet the standard could face implementation of a corrective action plan and possibly risk loss of federal funding.

Local districts apply their local policies on how they will work with parents and students to address instances where students attend school on test day but refuse to participate in the tests.

What other organizations are supporting efforts to move toward the new assessments?

A number of organizations are supporting New Jersey's efforts to implement effective assessments that are aligned with New Jersey's higher educational standards. Some of these organizations include the New Jersey PTA, and organizations representing

principals (NJPSA), superintendents (NJASA), schoolboards (NJSBA), higher education (NJ Council of County Colleges), and business (NJ Chamber of Commerce).

Is there too much testing?

The state requires that students be tested annually. The PARCC tests account for about 10 hours of a 1,200-hour school year. Most testing done during the school year is the result of decisions made at the local level. School districts may decide to purchase commercial, standardized tests to give to their students. In addition, local schools may require students to take any number of midterms, finals, tests and quizzes. Local school leaders continuously review their entire assessment package to make sure it provides the best feedback possible. Now that the PARCC tests will be administered, some districts may decide to rely on PARCC instead of the other assessments to provide that feedback. -

A Study Commission on Student Testing was formed in 2014 and charged with reviewing and providing recommendations about the volume, frequency and impact of student assessments occurring throughout New Jersey school districts, including those administered for college admission, college credit and college pathways.

How long is the PARCC test?

The pencil-and-paper NJ ASK was given to students in grades 3-8, and the pencil-and-paper HSPA exam was given to high school students in grade 11. The computer-based PARCC will have multiple administrations and test more students and grade levels than the previous assessments.

Testing time for the NJASK ranged from about five hours in grade 3, to about six hours in grade 8. Schools administered the assessment over several days during one testing period. The PARCC assessment will be administered during two separate testing windows during the school year, around March and May. The *estimated* time for the PARCC assessment -the time that at least half of students are expected to complete the test- is 6.5 hours in grade 3, and 7.5 hours in grades 6-11. However, students who need more time will be allowed as much as 9.75 hours in grade 3, to 11 hours in grades 6-11 in *allotted* time.

How does my child benefit from taking the PARCC tests?

PARCC tests are designed to more thoroughly measure students' understanding of English language arts and mathematics than previous tests did. An individual report will be created for each student who takes the PARCC exam. That report will provide details on how each student performed on specific test items, which will tell parents and school officials about each student's strengths and weaknesses, and whether he or she needs any special assistance or class placement.

This is a critical issue for business and higher education. A full 70% of students entering New Jersey's county colleges can't begin their college career unless they pay for remediation classes to learn what they should have learned in high school. In addition, many surveys repeatedly find that business leaders feel high school graduates are not properly prepared for the workforce. The data from the PARCC assessments is designed to help address these issues.

Is the technology of PARCC too complex for students?

Computer-based assessments are becoming common for today's students. For instance, the GED test is now computer-based and the SAT college-entrance exams will also be computer-based. Some states have had all-electronic assessments for years. In addition, districts have incorporated computer literacy into their curriculum. Recognizing that some students or educators may not be comfortable with a computer-based assessment, schools can offer tutorials to students so that they can become familiar with the technology they will be using on the days of the exam.

Will PARCC sell personal information about students?

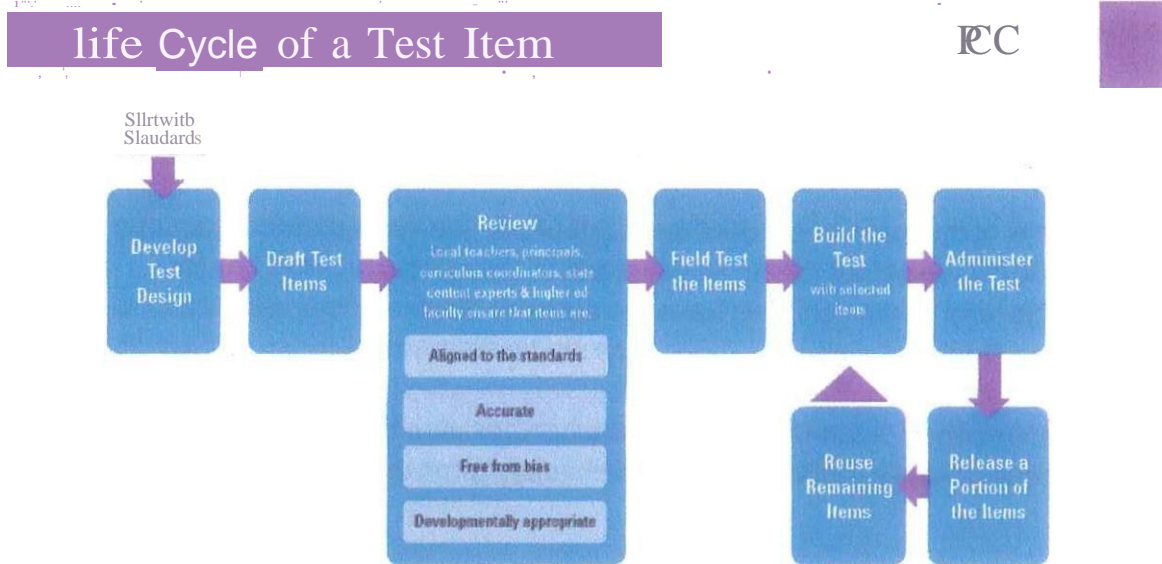
No. Protections are in place at both the state and federal levels, and through all contracts and agreements, intended to prevent student-identifiable data from being marketed or distributed. The selling of student data was never allowed under the previous tests in New Jersey, and it is not allowed under the PARCC tests.

What is the state's response to concerns about teaching to the test?

PARCC is designed for students to demonstrate their understanding of a concept, not simply choosing a multiple-choice or a true/false answer or reciting facts from memorization, as was common under previous assessments. As such, teachers really can't "teach to the test." If students understand the concepts, they should do well on the test.

Where do PARCC questions come from?

Many New Jersey educators joined hundreds of educators from around the country to create, review and approve every test item. Each item was reviewed by no fewer than 30 educators prior to field test. Outcomes of the field test were then reviewed by 80 educators prior to inclusion on the operational tests. Educators will come together to engage in both reviewing student responses and standard setting in the upcoming months after the administration of PARCC. Unlike previous tests, many of these test questions will be made available to educators after the exam for future use in classroom instruction. For additional information, please see the figure below.



PARCC state educators and experts are highly selective!

Classroom teachers and other educators are involved at every step. In developing a test, more than 30 educators and other experts review each item. The focus of development is on test questions that are rigorous and inclusive.

At any point during the process, items may be sent back for revision or eliminated altogether if they do not meet the state's quality criteria.

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Isn't PARCC a "high stakes" test that stresses our children?

For students in New Jersey, passing PARCC isn't required to advance from one grade to the next. It was not required with the former NJ ASK test, and it is not a requirement of PARCC tests. However, local schools may use PARCC results as one of multiple measures used in determining class placement, such as a gifted program. Parent

concerns about how a local district may be using the results to determine student placement should be addressed with the local school board.

How will PARCC affect our students' teachers?

For teachers, state law requires a portion of annual evaluations for only teachers of mathematics and English language arts in the tested grades to be based on growth on student assessments. This affects less than 20 percent of teachers. The portion of a teacher's evaluation based on growth on student assessments is being reduced to 10% in 2014-15 – down from 30% the previous year-in recognition of the transition to the new PARCC assessment.

Can my school handle the Internet bandwidth required for the test?

Early concerns at the local level about the appropriate Internet bandwidth required to administer PARCC were put to rest as the result of an approach called "proctor caching." This term means schools have the ability to download the tests from the Internet onto a single local server. Then, each student's device will connect with the designated school server. This approach effectively negates the need for extensive broadband capabilities. According to field tests conducted in spring of 2014, proctor caching can substantially reduce potential technology problems.

What if problems occur during testing?

Problems during testing happen each year for a variety of reasons. Every school and school district has a test coordinator who is trained to respond to a variety of irregularities that may transpire during test administration. Each irregularity will be handled on a case-by-case basis by the local district, the state education department or the testing vendor.

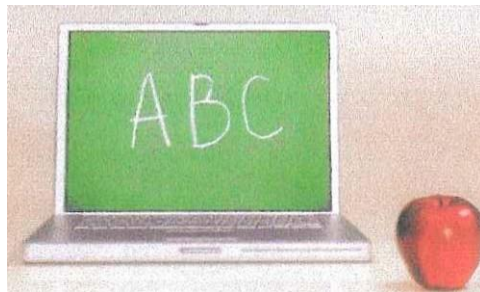
I've heard complaints that the schools had no time to prepare for PARCC. Was it rushed?

The PARCC exam has been several years in the making. In 2007-08, the High School Redesign Task Force called for changes that are now being implemented to move from the HSPA graduation test in the 11th grade to end-of-course assessments in grades 9-11. These changes were endorsed by the College and Career Readiness Task Force in

2012. In 2010, the New Jersey State Board of Education voluntarily adopted the Common Core State Standards as New Jersey's standards in English language arts and mathematics which PARCC is designed to measure. New Jersey joined PARCC in the spring of 2010. For two years the state tested portions of the PARCC assessments with a limited number of students and in a limited number of schools, and in 2013 the state conducted extensive field tests that included a majority of all schools and districts in New Jersey.

How much is this new test costing our town?

There is no local cost involved in developing or scoring the PARCC exam. The state pays for all PARCC exams. None of the costs for PARCC comes directly from the local school budget.





PARCC Update February 4, 2015

Today's Agenda

Describing the change in how we're supporting student learning.

Describing the change in how parents will know how their children are doing.

Describing the change in how educators can use data to inform curricular and instructional improvements.



All assessments should inform student learning!

NJASK Score Interpretation Manual 2014

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NJASK Student Report

New Jersey ASK Spring 2013 Individual Student Report

STUDENT INFORMATION

Category	Score
Reading Language Arts	200
Mathematics	231
Science	222

HSPA Student Report

STUDENT INFORMATION

Category	Score
Mathematics	250
Language Arts/History	250

HSPA Student Report

STUDENT INFORMATION

Category	Score
Mathematics	250
Language Arts/History	250

NJASK District's Roster Reports

DISTRICT INFORMATION										SCHOOL INFORMATION										
DISTRICT NAME: ...										SCHOOL NAME: ...										
...
...

From these Conversations ...

NJASK

- = How did our district schools do compared to others in NJ?
- = Which students need further testing?
- = How are our various subgroups performing?

To These Conversations ...

PARCC

- What are the key findings from the PARCC data? How can we help improve?
- Which standards did our students meet?
- What professional development does our district need?
- How do we move forward with the data?

PARCC

- How can we use the PARCC data to improve our instruction?
- How can we use the data to identify areas for improvement?

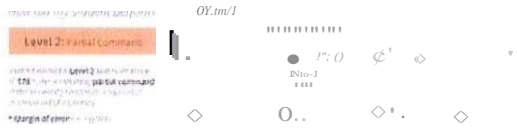
Individual Student Report: ELA/L

P RCC

Hannah Berlin, Grade 7

ELA / Literacy: Summative Assessment, 2014 - 2015

ELA/LC/100 - 100 - 100



13

Individual Student Report: ELA/L

How did my student perform on the Reading section of the assessment?



14

Individual Student Report: ELA/L

ELA / Literacy: Summative Assessment 2014 - 2015

ELA/LC/100 - 100 - 100

How much did my student grow?



15

Individual Student Report: Math

Math: Summative Assessment. 2014 - 2015
Parent & Guardian Report, continued

How did my student perform on the *owroll* ?

Level: Below, Near, At or above

Student Score: 2.5

Legend: Below, Near, At or above

16

Individual Student Report: Math

How did my student perform on the *cotteorls* ?

MAJOR CONTENT: **Near** (3)

MINOR CONTENT: **At or above** (C)

REASONING & INTERBIDY CONTENT: **At or above** (C)

STUDENT APPLICATIONS: **Below** (3)

Legend: Below, Near, At or above

17

Individual Student Report: Math

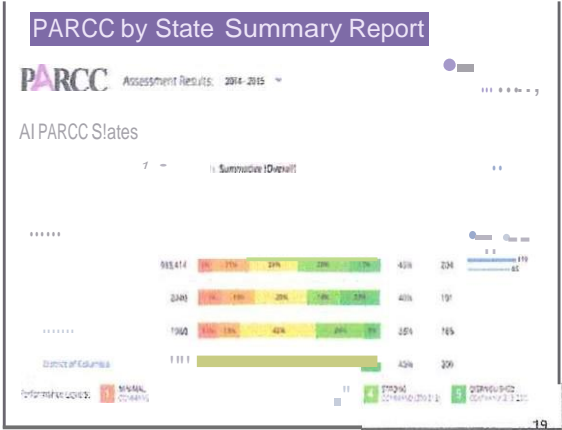
Math: Summative Assessment. 2014 - 2015
Parent & Guardian Report, continued

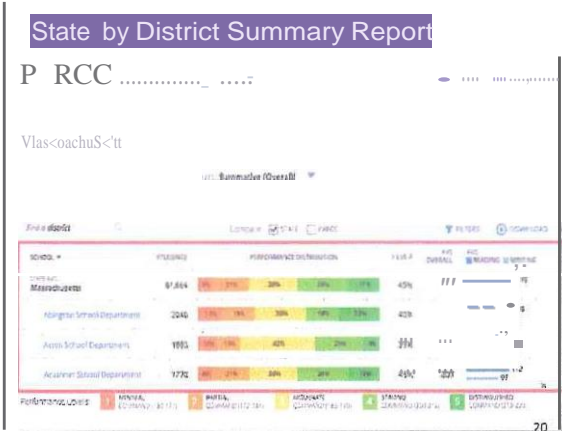
How much did my student *grow* ?

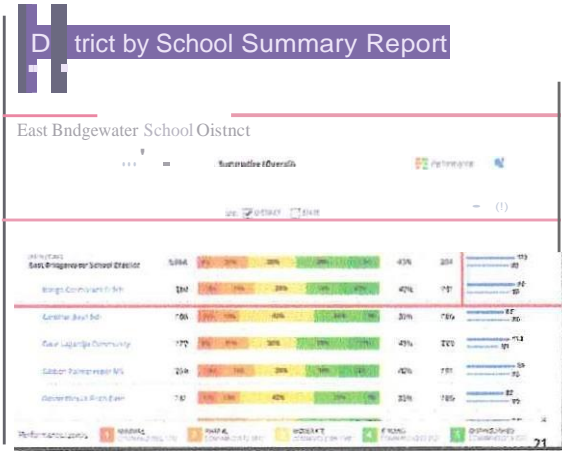
CHANGED TO MATCH RESULTS: *From MoM*

Legend: Below, Near, At or above

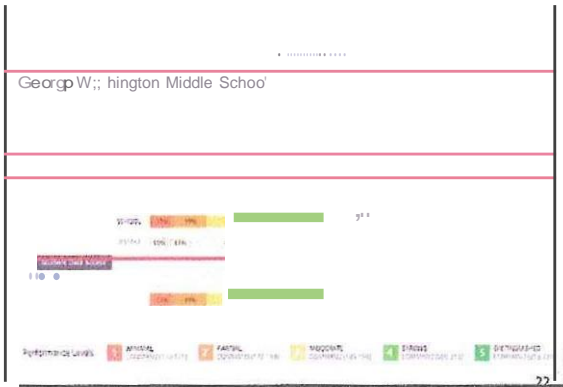
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P1 RCC School by Grade Summary Report



Student Roster - Sub-Scores

Grade 7

Student	Math	Reading	Writing	Science	History	Art	Music	Physical Education	Health	Language Arts	Math	Reading	Writing	Science	History	Art	Music	Physical Education	Health
Alison M...	220	220	220	220	220	220	220	220	220	220	220	220	220	220	220	220	220	220	220
...

Student Roster - Item Scores

PARCC Assessment Results 2014-2015

Grade 8

Item	Score	...
7:1

2/17/2015

8

Next Steps: Using the Data Reporting System

PARCC Manuals and Guidance
In-person meetings, summer/fall2015
PARCC Self-paced, web-based trainings
Collaboration with partners

Districts can expect 2015 PARCCdata In October due to the need to gather educators together to participate in standards setting in this summer. In the following years, assessment results will be returned near the end of the school year.

Next Steps: Informing Instruction

PARCC Partnership Resource Center
Released test questions, tech-enabled
Student responses/exemplars
Build/Edit your own test questions
Digital library/courses, identified by standards
Diagnostic/Non-Summative tests
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New Jersey' School Boards Association

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Your Local School Board, Your Students and PARCC: Frequently Asked Questions

In March 2015, New Jersey school districts will begin administering a new standardized test, called PARCC (Partnership for the Assessment of Readiness for College and Careers), developed by a multi-state consortium that includes New Jersey. The computer-based exam is the state's new testing program and will measure student progress toward goals in language arts and mathematics.

NJSBA's legal, policy and field services staff members are receiving a growing number of inquiries concerning administration of the exam, including the requirement for student participation. As a service to local school districts, NJSBA offers the following responses to frequently asked questions about the school board's responsibility as it relates to the administration of PARCC.

Are school districts required to administer the PARCC assessment?

Yes.

- New Jersey statute authorizes the State Board of Education and the Commissioner of Education to establish academic standards.
- Regulation adopted by the New Jersey State Board of Education provides that the Commissioner of Education will implement a testing program to measure student progress toward the standards.
- That same regulation requires that local boards of education administer the state testing program.

The State Board of Education has identified the PARCC assessment as the state's testing program, beginning in 2014-2015. PARCC is replacing New Jersey's previous standardized tests, the NJASK in grades 3 through 8 and the HSPA in high school.

Must students participate in the PARCC assessment?

Yes.

- State regulation contains the following provision: "*...all students at grade levels 3 through 12...shall take appropriate Statewide assessments as scheduled.*"
- In an [October 30 memo](#) to school administrators, the Commissioner of Education cited law and regulation related to the state's testing program and wrote, "*...State law and regulations require all students to take State assessments.*"

PARCC is part of the state-required educational program. According to the [state law](#), "Pupils in public schools shall...pursue the prescribed course of study and submit to the authority of teachers and others in authority over them."

January 20, 2015

Do statutes, regulations or court decisions permit students to opt out of the state testing program?

No.

New Jersey law and regulation require students to participate in the state testing program and do not include opt-out provisions. In addition, NJSBA is not aware of any court decisions that specifically address the ability or inability of general education students in public schools to opt out of state testing programs.

Although statute allows students not to participate in certain school programs (for example, animal dissection in biology class, certain student surveys, or family life education), these exceptions apply only to the specific activities and do not involve testing.

What action should a school district take if a student refuses to participate in PARCC?

In his October 30 memo to school administrators, the Commissioner of Education cites statute and regulation and states the following: "...schools are not required to provide an alternative educational program for students who do not participate in the statewide assessment."

Local districts, therefore, have discretion on how they will address situations in which students attend school on test day but refuse to participate in the exam.

In making that determination, district leaders should take into consideration testing protocols.

The Spring 2015 PARCC Test Coordinator and Test Administrator Manuals provide guidance on what New Jersey school districts should do when a student refuses to take the state assessment.

In addition, district leaders should also consider their school district's student discipline policy and regulations, if applicable; the responsibility of school staff to maintain an orderly testing environment; and available staffing and resources.

If a student does not attend school on test day, the school district's attendance policy, including excused and unexcused absences, applies. The state has issued testing protocols that include the provision of make-up days for students who are absent on the day of the exam.

The Commissioner of Education's October 30 memo recommends a review of school district discipline and attendance policies "to ensure that they address situations that may arise during days that statewide assessments...are being administered."

What is the impact on the school district if students do not participate in PARCC?

The level of student participation in PARCC can affect federal funding for K-12 education in New Jersey, state aid to school districts, state monitoring (NJQSAC) results, the new teacher evaluation process, and the school district's ability to design curriculum to meet student academic needs.

- The federal Elementary and Secondary Education Act requires that 95% of all students and 95% of students in subgroups (e.g., English language learners, economically disadvantaged, etc.) take state-required assessments. "Federal funding of key education programs is

dependent upon districts meeting this requirement," the Commissioner of Education told school administrators in his October 30 memorandum.

- For the past two years, the state has calculated aid to local school districts partly on their Average Daily Attendance (ADA), rather than the annual mid-October child count. Under this practice, an ADA of less than 96% over a three-year period could adversely affect a district's state aid.
- The NJQSAC monitoring system requires meeting annual measurable objectives in student achievement based upon 95% of the *total* student population demonstrating proficiency on state tests. A low participation rate may negatively affect this outcome.
- This year, Student Growth Percentiles, based on scores on the state tests, will account for 10% of an educator's performance appraisal under the AchieveNJ evaluation process. If fewer than 20 students within a class take the PARCC exam, student growth as reflected by the test scores cannot be factored into the evaluation.
- A low participation rate will affect the amount of information educators need to make informed decisions to modify curriculum and differentiate and personalize instruction.

What is the impact on students who do not participate in PARCC?

If a student does not participate in PARCC, valuable information about his or her academic progress and needs will not be available. According to the Commissioner of Education, the PARCC assessments will provide detailed information about each individual student's performance. Teachers and administrators will be able to pinpoint areas of difficulty and customize instruction.

In addition, excessive absence could subject a student to sanctions under the board's student attendance policy (authorized by [state regulation](#)).

May a school board adopt an opt-out policy?

Although there is no explicit statutory or regulatory prohibition against such a policy, it would be inconsistent with the state law requiring student participation in the state testing program. Local school board policies should reflect state law and regulation, as well as local school board beliefs.

Significantly, the Code of Ethics for School Board Members, which is part of the New Jersey School Ethics Act and is administered by the School Ethics Commission, states the following:

I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to the schools. Desired changes shall be brought about only through legal and ethical procedures.

An opt-out policy could be construed by the School Ethics Commission as violating this tenet. The board of education should also consider the impact that such a policy would have on students and the school district.

A local school board should obtain the advice of its board attorney on this matter.

Does NJSBA have model policies that could help districts address this issue?

NJSBA's Critical Policy Reference Manual (CPRM) contains model documents on "Evaluation of Individual Student Performance" including the state testing program; "Attendance, Absences and Excuses"; and "Discipline." (For members-only access to the CPRM, go to www.njsba.org/policy.)

The CPRM policy models are based on statutory and regulatory requirements, as well as applicable court decisions. Because they represent suggested board policies, they do not prescribe administrative responses to specific situations, such as student non-participation in state-required testing.

NJSBA recommends that school districts develop a course of action consistent with their own policies, state testing protocol and available resources. They should consult the board attorney when necessary. In addition, NJSBA's Legal, Policy and Labor Relations Services staff can provide information on applicable statute and code.

Where does NJSBA stand on PARCC and the state testing program?

NJSBA believes that the state testing program should provide educators with the information they need to advance students' academic achievement. Such data should be provided on a timely basis, so that educators can make decisions on student placement and the design of curriculum. Test administration time should not adversely affect the educational program, according to Association policy.

NJSBA Executive Director Dr. Lawrence S. Feinsol was appointed by the Governor to serve on the Study Commission on the Use of Student Assessments in New Jersey. NJSBA is encouraged by the appointment, which will enable local school boards to have a voice on the commission, which is reviewing the "volume, frequency and impact of student testing occurring throughout New Jersey school districts..,

Where can I obtain more information about the school board's responsibility to administer the PARCC assessment?

NJSBA's Legal, Policy and Labor Relations Services Department provides a document, [detailing statutes and regulations](#) related to the administration of the state testing program. This document also includes an excerpt from a *Spring 2015 PARCC Test Administrator Manual*.



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Statute, Code and Case Law Related to Student Participation in the State Testing Program

State Testing

N.J.S.A. 18A:7C1 Commissioner of education to develop a program of standards and guidelines

By July 1, 1980 the Commissioner of Education with the approval of the State Board of Education shall establish a program of standards for graduation from secondary school. Such a program shall include, but not be limited to:

- a. The development of a Statewide assessment test in reading, writing and computational skills to be administered to all secondary school pupils as provided herein;
- b. Clear and explicit Statewide levels of proficiency in reading, writing and computational skills to be demonstrated as a minimum requirement for high school graduation;
- c. Guidelines for the development of graduation standards by local boards of education;
- d. Guidelines for remediation procedures for pupils who fail to meet graduation standards; and
- e. Guidelines for graduation standards for those pupils classified pursuant to chapter 46 of Title 18A of the New Jersey Statutes.

L.1979, c. 241, s. 1.

N.J.A.C. 6A:8-4.1 Statewide assessment system

(a) The Commissioner, in accordance with *N.J.S.A. 18A:7A10*, may implement assessment of student achievement in the State's public schools in any grade(s) and by such assessments as he or she deems appropriate. The Commissioner shall report to the State Board the results of such assessments.

(b) The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the *Content Curriculum Standards (CCCS)*.

1. The Commissioner, with the approval of the State Board, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the CCCS at grade levels three through 12.

2. After consultation with the Commissioner, the State Board shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the CCCS.

(c) District boards of education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the six major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight, the HSPA, the AHSA and the APA for students with severe cognitive disabilities.

1. The Department shall implement the elementary component of the Statewide assessment of the CCCS consisting of the following:

i. Continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.

2. The Department shall implement the middle school component of the Statewide assessment of the CCCS consisting of the following:

i. Continued administration of mathematics and English language arts in grades six, seven, and eight, and of science in grade eight.

3. The Department shall implement a high school assessment program component of the CCCS that assesses, at a minimum, English language arts, mathematics, and science.

(d) Pursuant to (b) and (c) above, all students at grade levels three through 12, and at any other grade(s) designated by the Commissioner pursuant to (a) above, shall take all appropriate Statewide assessments as scheduled.

1. District boards of education shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department for ELLs and students with disabilities as defined in *N.J.A.C. 6A:14-1.3* or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 team.

i. District boards of education may administer the AHSA to ELLs in their native language, when available, and/or English, in conformance with *N.J.A.C. 6A:8-5.1(f)*.

ii. District boards of education shall have the option for a first-year ELL of substituting a Department-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

2. District boards of education shall ensure students with disabilities as defined in *N.J.A.C. 6A:14-1.3* participate in Statewide assessments in accordance with *N.J.A.C. 6A:14-4.10*.

3. At specific times prescribed by the Commissioner, district boards of education shall administer the APA to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities.

- i. The Department shall implement the APA according to the schedules in (c)1, 2, and 3 above.
- ii. The APA measures the progress of students who have been determined eligible for the APA by the IEP team in accordance with *N.J.A.C. 6A:14-4.10*

4. District boards of education shall administer following the 11th grade the AHSA to all students who have not demonstrated proficiency on one or more sections of the HSPA and/or to corresponding adult high school students. In implementing the AHSA process, district boards of education shall use only assessment instruments and procedures approved by the Commissioner.

(e) District boards of education shall be responsible for ensuring the security of all components of the Statewide assessment system.

Statutes that Permit Opt-Out from Certain School Activities

Family Life Education and Medical Treatment

N.J.S.A. 18A:35-4.6. Title of act

This act shall be known as the "Parents Rights to Conscience Act of 1979."

L.1979, c. 428, s. 1, eff. Feb. 11, 1980.

N.J.S.A. 18A:35-4.7. Parent's statement of conflict with conscience

Any child whose parent or guardian presents to the school principal a signed statement that any part of the instructions in health, family life education or sex education is in conflict with his conscience, or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result therefrom.

L.1979, c. 428, s. 2, eff. Feb. 11, 1980.

N.J.S.A. 18A:35-4.8. Medical treatment or examination; objection of parent or guardian

No pupil whose parent or guardian objects to such pupil receiving medical treatment or medical examination or physical examination shall be compelled to receive such treatment or examination; provided, however, that no objection shall be made to a physical or medical examination of any physically handicapped child for the purpose of determining whether such child shall be admitted to any class or school for handicapped children or of any pupil to determine whether he is ill or infected with a communicable disease or of any person who appears to be under the influence of a drug pursuant to P.L.1971, c. 390 (C. 18A:40-4.1).

L.1979, c. 428, s. 3, eff. Feb. 11, 1980.

Animal Dissection

N.J.S.A. 18A:35-4.25 Refusal to participate in certain school activities related to animal dissection, etc.

2. a. A public school pupil from kindergarten through grade 12 may refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of a course of instruction.

b. A school shall notify pupils and their parents or guardians at the beginning of each school year of the right to decline to participate in the activities enumerated in subsection a. of this section and shall authorize parents or guardians to assert the right of their children to refuse to participate in these activities. Within two weeks of the receipt of the notice, the pupils, parents or guardians shall notify the school if the right to decline participation in the enumerated activities will be exercised.

c. Any pupil who chooses to refrain from participation in or observation of a portion of a course of instruction in accordance with this section shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal parts.

d. A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

L.2005,c.266,s.2.

Student Information

N.J.S.A. 18A:36-34. School surveys, certain, parental consent required before administration

1. a. Unless a school district receives prior written informed consent from a student's parent or legal guardian and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis or evaluation which reveals information concerning:

(1) political affiliations;

(2) mental and psychological problems potentially embarrassing to the student or the student's family;

(3) sexual behavior and attitudes;

(4) illegal, anti-social, self-incriminating and demeaning behavior;

(5) critical appraisals of other individuals with whom a respondent has a close family relationship;

(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

(7) income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or

(8) social security number.

b. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis or evaluation.

c. A student shall not participate in any survey, assessment, analysis or evaluation that concerns the issues listed in subsection a. of this section unless the school district has obtained prior written informed consent from that student's parent or guardian.

d. A school district that violates the provisions of this act shall be subject to such monetary penalties as determined by the commissioner.

L.2001,c.364.

N.J.S.A. 18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent.

1. The board of education of each school district and the board of trustees of each charter school that establishes an Internet web site, shall not disclose on that web site any personally identifiable information about a student without receiving prior written consent from the student's parent or guardian on a form developed by the Department of Education. The written consent form shall contain a statement concerning the potential dangers of personally identifiable information about individual students on the Internet.

As used in this act, "personally identifiable information" means student names, student photos, student addresses, student e-mail addresses, student phone numbers, and locations and times of class trips.

L.2001,c.402,s.1.

N.J.S.A. 18A:36-36 Pupil information, certain, classroom materials; rules.

1. a. A pupil in a public school shall not be required to supply information regarding the pupil's race, ethnicity, migrant status or economically disadvantaged status on any materials distributed in class.

b. Materials distributed to a pupil in a public school shall not include any obvious indicators of the pupil's race, ethnicity, migrant status or economically disadvantaged status; except that the school district may use identification numbers or other methods of identification after the collection of the materials

c. The State Board of Education shall promulgate rules pursuant to the "Administrative Procedure Act," P.L.J 968, c.410 (C.52:14B-1 *et seq.*), to effectuate the provisions of this act.

L.2002,c.92,s.1.

N.J.S.A. 18A:36-19.1. Military recruitment in public schools Local school districts in New Jersey are directed to establish policies which would provide military recruiters the same access to school facilities and student information directories that is provided to educational and occupational recruiters pursuant to regulations adopted by the State Board of Education pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 *et seq.*). These regulations shall be adopted within 180 days of the effective date of this act. The policies should be consistent with State and federal right to privacy laws.

L. 1985, c. 51, s. 1, eff. Feb. 21, 1985.

Immunization

N.J.S.A. 26:1A-9. Force and effect of Code; enforcement; local regulations

The provisions of the State Sanitary Code shall have the force and effect of law. Such code shall be observed throughout the State and shall be enforced by each local board of health, the local police authorities and other enforcement agencies. Nothing herein contained however shall be deemed to limit the right of any local board of health to adopt such ordinances, rules and regulations, as, in its opinion, may be necessary for the particular locality under its jurisdiction; but such ordinances, rules and regulations shall not be *in* conflict with the laws of this State or the provisions of the State Sanitary Code, except, however, that such ordinances, rules and regulations may be more restrictive than the provisions of the State Sanitary Code. Every person organization or board of education having control of any public or private school in this State shall insure compliance with the State Sanitary Code as it pertains to the immunization against disease of children attending or having the right to attend such school, including any provision of the code which prohibits attendance by a child who has not been immunized.

L.1947, c.177,p. 796,s.9.AmendedbyL.1974,c.150, s. 2,eff.Nov. 11, 1974.

N.J.S.A. 26:1A-9.1. Exemption for pupils from mandatory immunization; interference with religious rights; suspension

Provisions in the State Sanitary Code in implementation of *this* act shall provide for exemption for pupils from mandatory immunization if the parent or guardian of the pupil objects thereto in a written statement signed by the parent or guardian upon the ground that the proposed immunization interferes with the free exercise of the pupil's religious rights. This exemption may be suspended by the State Commissioner of Health during the existence of an emergency as determined by the State Commissioner of Health.

L.1974,c. 150, s. 6, eff. Nov. 11, 1974.

N.J.A.C. 8:57-4.2 Proof of immunization

A principal, director or other person in charge of a school, preschool, or child care facility shall not knowingly admit or retain any child whose parent or guardian has not submitted acceptable evidence of the child's immunization, according to the schedules specified in this subchapter. Exemptions to this requirement are identified at *N.J.A.C. 8:57-4.3* and 4.4.

N.J.A.C. 8:57-4.3 Medical exemptions

(a) A child shall not be required to have any specific immunization(s) which are medically contraindicated.

(b) A written statement submitted to the school, preschool, or child care center from a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction of the United States indicating that an immunization is medically contraindicated for a specific period of time, and the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) guidelines, will exempt a pupil from the specific immunization requirement for the stated period of time.

1. The guidelines identified in (b) above are available as follows:

i. Advisory Committee on Immunization Practices, U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta, GA 30333; and

ii. American Academy of Pediatrics, Committee on Infectious Diseases, PO Box 927, Elk Grove, IL 60009-0927.

(c) The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained as part of the child's immunization record and shall be reviewed annually by the school, preschool, or child care facility. When the child's medical condition permits immunization, this exemption shall thereupon terminate and the child shall be required to obtain the immunization(s) from which he or she has been exempted.

(d) Those children with medical exemptions to receiving specific immunization(s) may be excluded from the school, preschool, or child care facility during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services or his or her designee.

(e) As provided by *N.J.S.A. 26:4-6*, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school." The Department of Health and Senior Services shall provide guidance to the school of the appropriateness of any such prohibition. All schools are required to comply with the provisions of *N.J.A.C. 8:61-1.1* regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

N.J.S.A. 8:57-4.4 Religious exemptions

(a) Each school, preschool, or child care center shall exempt a child from mandatory immunization if the child's parent or guardian submits to the school, preschool, or child care center a written, signed statement requesting an exemption, pursuant to the requirements for religious exemption established at *N.J.S.A. 26:1A-9.1*, on "the ground that the . . . immunization interferes with the free exercise of the pupil's religious rights."¹¹

1. The school, preschool, or child care center shall be prohibited from exempting a child from mandatory immunization on the sole basis of a moral or philosophical objection to immunization.

(b) Religious affiliated schools or child care centers shall have the authority to withhold or grant a religious exemption from the required immunization for pupils entering or attending their institutions without challenge by any secular health authority.

(c) Each school, preschool, or child care center shall retain a copy of the written statement set forth in (a) above in the child's immunization record.

(d) A school, preschool, or child care center may exclude children with religious exemptions from receiving immunizing agents from the school, preschool, or child care center during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services, or his or her designee.

(e) As provided by *N.J.S.A. 26:4-6*, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school."

1. The Department of Health and Senior Services shall provide guidance to the school on the appropriateness of any such prohibition.

2. All schools are required to comply with the provisions of *N.J.A.C. 8:61-2.1* regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

(f) Those children enrolled in school, preschool, or child care centers before September 1, 1991, and who have previously been granted a religious exemption, shall not be required to reapply for a new religious exemption under *N.J.A.C. 8:57-4.4(a)*.

Student Discipline

N.J.S.A. 18A:37-1 Submission of pupils to authority

Pupils in the public schools shall comply with the rules established in pursuance of law for the government of such schools, pursue the prescribed course of study and submit to the authority of the teachers and others in authority over them.

L.1967, c.271.

18A:37-2 Causes for suspension, expulsion of pupils.

18A:37-2. Any pupil who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school.

Conduct which shall constitute good cause for suspension or expulsion of a pupil guilty of such conduct shall include, but not be limited to, any of the following:

- a. Continued and willful disobedience;
- b. Open defiance of the authority of any teacher or person, having authority over him;
- c. Conduct of such character as to constitute a continuing danger to the physical well-being of other pupils;
- d. Physical assault upon another pupil;
- e. Taking, or attempting to take, personal property or money from another pupil, or from his presence, by means of force or fear;
- f. Willfully causing, or attempting to cause, substantial damage to school property;
- g. Participation in an unauthorized occupancy by any group of pupils or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility;
- h. Incitement which is intended to and does result in unauthorized occupation by any group of pupils or others of any part of a school or other facility owned by any school district;
- i. Incitement which is intended to and does result in truancy by other pupils;
- j. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and
- k. Harassment, intimidation, or bullying.

amended 1969, c.156; 1979, c.189, s.1; 1981, c.59, s.1; 2010, c.122, s.10.

School Ethics Act – Code of Ethics for School Board Members

N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members.

5. A school board member shall abide by the following Code of Ethics for School Board Members:

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.

b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

c. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

d. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

f. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.

h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.

i. I will support and protect school personnel in proper performance of their duties.

j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

L.2001,c.178,s.5.

Court Decisions:

Do They Identify a Constitutional Right to Opt-Out of the State Testing Program?

The following federal court decisions have been cited by opponents as identifying a Constitutional basis for parents' right to have their children opt out of the state testing program. None of the cases, however, address testing.

Meyer v. Nebraska, 262 U.S. 390 (1923). Teacher, while working in a parochial school, was convicted for teaching the German language to a 10-year old child who had not successfully passed the eighth grade, in violation of a Nebraska statute that prohibited teaching of languages other than English to children who had not passed the eighth grade. Supreme Court reversed, holding that the statute was arbitrary and capricious and unrelated to any legitimate state goal.

Pierce v. Soc. of Sisters, 268 U.S. 510 (1925). Supreme Court invalidated the Oregon Compulsory Attendance Act, a law that mandated all children ages 8-16 attend public schools and which was aimed at eliminating all private and parochial schools. The Society of Sisters, a group that operated an orphanage and religious schools, challenged the law. The Court held that the Act unreasonably

interfered with the liberty of parents and guardians to direct the upbringing and education of children under their control.

Griswold v. Connecticut, 381 *US* 479 (1965). Connecticut statute made the use of contraceptives a criminal offense. The executive and medical directors of the Planned Parenthood League of Connecticut were convicted in the Circuit Court for the Sixth Circuit in New Haven, Connecticut, on a charge of having violated the statute as accessories by giving information, instruction, and advice to married persons as to the means of preventing conception. Supreme Court reversed, finding that the statute was invalid as an unconstitutional invasion of the right of privacy of married persons.

Wisconsin v. Yoder, 406 *US*. 205 (1972). Wisconsin's compulsory education law required children to attend school until age 16. Defendants, members of the Amish faith, refused to send their children, ages 14 and 15, to public school after the children had completed the eighth grade, and the defendants were convicted of violating the compulsory attendance law. Convictions were reversed by the Wisconsin Supreme Court, sustaining defendants' claims that their right to free exercise of religion had been violated. The U.S. Supreme Court affirmed. Secondary schooling would substantially interfere with the religious development of the Amish child and contravened the basic religious tenets and practices of the Amish faith. Parents have the right to direct the religious upbringing of their children.

Reno v. Flores, 507 *US*. 292 (1993). Supreme Court addressed the issue of whether suspected undocumented juveniles, arrested by the Immigration and Naturalization Service and awaiting a hearing on deportation, may be released to the custody of responsible adults who are not their parents, close relatives or legal guardian.

M.L.B. v. S.L.J., 519 *US*. 102 (1996). Termination of parental rights matter involving an indigent mother's inability to pay for court transcripts, necessary for appeal. Parents' interest in their relationship with their children was sufficiently strong as to require provision of a free transcript for indigents. State's conditioning of natural mother's right to appeal from civil decision terminating her parental rights on her ability to prepay record preparation fees held inconsistent with Fourteenth Amendment's due process and equal protection.

Troxel v. Granville, 530 *U.S.* 57 (2000). A Washington State statute (1) permitted any person to petition a state court for child visitation rights at any time, and (2) authorized the court to order visitation rights for any person when visitation might serve the best interest of the child. Application of the state statute to allow visitation rights to the paternal grandparents violated the mother's right, under the due process clause of the Constitution's Fourteenth Amendment, to bring up her children.

Excerpts from the 2015 Spring PARCC Test Administrator Manual
High School Mathematics – Computer Based Testing

6.8.4 Dismissing Students for Misconduct

The Test Administrator has the authority to dismiss any student for misconduct. If student misconduct warrants dismissal, collect the student's test materials. The student will then be dismissed from the testing environment. The school or LEA must submit a Form to Report a Testing Irregularity or Security Breach within two days.

If a student is dismissed, the Test Administrator must exit the student's test in TestNav. Once the student has been exited, follow your state policy in Appendix C.

New Jersey

Note: Please note that section and appendix references in the State Policy Addendum refer to sections/appendices in the Test Coordinator Manual available at <http://parcc.pearson.com>.

Issue	TC-1 Section	State Policy
State-specific Procedures for Dismissing Students for Misconduct	1.10 6.4	STC calls LEA Test Coordinator immediately to report student misconduct (i.e. refusing to test, disruptive behavior, unauthorized electronics cheating). STC completes testing irregularity/security breach form documenting situation and provides form to USA Test Coordinator. LEA Test Coordinator contacts Office of Assessment immediately upon receiving call from STC. LEA Test Coordinator must upload completed testing irregularity/security breach form to PearsonAccessnext within two days.
Additional State Considerations		Home-Schooled Students and Private-School Students: Students who are full-time home-schooled or full-time at a private tuition-based or parochial school are not eligible to take any state test (exclude special education students who attend an approved private school for the disabled in which tuition is the financial responsibility of the local education agency). Please refer to New Jersey Administrative Code (N.J.A.C.) 6A:R-1.2 (t). Middle School Students taking High School courses (i.e., Algebra I or Geometry): Middle School Students who are currently taking Algebra I or Geometry do not take the grade 7 mathematics assessment; however, they must take the Algebra I or Geometry assessment. Additional information regarding New Jersey state assessment policies is available at http://www.state.nj.us/education/assessment/

What Parents, Educators and Students Need to Know About New Jersey's PARCC Testing

Posted by Dr. Richard G. Bozza at 2/12/2015

New Jersey Association of School Administrators (NJASA) Blog

In March of 2015, New Jersey's public schools will significantly change how we conduct standardized state testing. Instead of paper-and-pencil standardized tests, the state will be implementing the next generation of assessments, computer-based testing (CBT), known as PARCC. PARCC is an acronym for the assessments developed by the Partnership for Assessment of Readiness for College and Careers. There's been a lot of discussion about PARCC, prompting questions and concerns among the entire community. Here's what you need to know.

You may recall the NJASK test given in grades three to eight and the HSPA in high school. The PARCC assessment will replace both of these tests. We've been conducting state educational assessments for decades, and PARCC is the latest version. PARCC uses a 21st century approach, testing the critical thinking and problem-solving skills that colleges and employers require. It is one of many tests that students take, due to mandates by the federal government through the Elementary and Secondary Education Act and requirements of our own State Board of Education.

Parent, Educator and Student Input on PARCC Wanted

PARCC was researched, developed and field tested over several years to measure students' mastery of math and English language arts. The change from paper-and-pencil to computer-based testing has prompted some questions from parents. What is the length of the test? Will there be loss of instructional time? How dependable are the technology tools? How will we use the results? How will we protect the privacy of student information? What is the cost? Finally, are we doing too much testing? See Parent PARCC Questions Answered for some of the more basic questions and answers. Because PARCC is so new, many of the answers will be revealed during the first year of use. But I can share some important information so you can put the PARCC assessment in context—and also have a voice in its future.

PARCC is aligned with the Common Core, the material that schools are teaching for the 21st century to prepare students for college and careers. Its content will be similar to new SAT test. Because PARCC is new, its results will be carefully monitored and reviewed for future years.

What is the state's response to parents' concerns about teaching to the test?

In FAQs the NJDOE addressed the common question "Are teachers teaching to the test?"

PARCC is designed for students to demonstrate their understanding of a concept, not simply choosing a multiple choice or a true/false answer or reciting facts from memorization, as was common under previous assessments. As such, teachers really can't "teach to the test." If students understand the concepts, they should do well on the test.

What do students have to say about PARCC?

In a letter released by the NJDOE in December 2014, RE: PARCC Field Test: Lessons Learned, they noted highlights of responses from the student surveys administered at the end of the field testing including:

- o 94% of students either finished the CBT ELA field test very early or on time and 87% did so for mathematics.
- o Approximately 90% of the students in the PARCC CBT understood the directions read by test administrators.

- o Students found the mathematics assessment more challenging than the ELA assessments overall regardless of whether the student took the field test via computer or paper.
- o Approximately 90% of students who participated in the ELA CBT and 65% of students who participated in the mathematics CBT reported that it was easy to type their answers.

NJASA members are leading the discussion about assessment as an essential component of the teaching-learning process. We are speaking candidly and directly about the planned PARCC assessments, for example:

- o NJASA leaders are speaking with community members at school and board of education meetings and at focused "town hall" gatherings around the state.
- o NJASA is working with the NJ Department of Education and other state education organizations to examine these issues, but more importantly, to talk about the value of these new technology-based assessments for students.
- o NJASA has organized two additional Commissioner Convocations with school superintendents focusing on the PARCC assessments as a learning tool, examining the vision for the use of data, reviewing teacher and parent reports, and sharing best practices in communicating with stakeholders.
- o Chief Education Officers will have the opportunity to participate in breakout sessions exploring legal issues and community communications with those who have successfully addressed them in their districts.

Your opinion about PARCC counts.

We believe that parents and educators need to know how our students fare in achieving higher standards. We believe that we must work together to prepare students for the world that awaits them outside our doors. Together we shall work through the challenges, learn from our experiences, and elevate student achievement. Parents and educators can voice their opinion on PARCC and other testing in New Jersey by commenting online about the state's assessment practices at the Study Commission on [the Use of Student Assessments in New Jersey](#).

Stay tuned to the New Jersey Association of School Administrators website at www.njasa.net, this blog and our [Facebook page](#) for continuing up-to-date information on these critical issues and our professional programs. Our goal is to help New Jersey students get the best possible education and keep administrative costs down.

New Jersey Principals & Supervisors Association (NJPSA) PARCC Talking Points

Members are increasingly facing questions related to the State's participation in the Partnership for Assessment of Readiness for College and Career (PARCC) as New Jersey's newly adopted state assessment system. In response, NJPSA has compiled several talking points that may be of assistance when speaking with students, parents, educators and members of the community with questions. We have also linked to several resources that may also be of assistance.

PARCC Talking Points

- New Jersey has had a long history of establishing state standards for instruction and assessment to help schools ensure that students are meeting educational goals. Standards are what we expect students to know in individual grades. Curriculum is how we operationalize those goals into learning.
- Federal and state laws require New Jersey students to take an assessment that measures college and career readiness.
- PARCC is aligned with the Common Core and more accurately gauges students' progress in achieving these new standards. NJASK incorporated common core concepts in last year's exam as a logical step in the transition.
- The information we receive will be more comprehensive under PARCC. PARCC data will help us monitor each student's progress by helping to identify strengths and weaknesses better. Schools can then respond accordingly with individual support for students and improvements in local curriculum, instruction and assessment.
- Colleges / universities have committed to acceptance of a PARCC score of 4 or 5 (viewed as mastery) for purposes of college placement. This means that students won't need to take any remedial courses if they score a 4 or 5 on the exam. And, it also means they won't have to even take the Accuplacer (the test that colleges used to determine college placement).
- Concerns that schools will "teach to the test," - narrowing what kids learn - is unfounded because of the way PARCC works. Test-prep strategies aren't an option. The test requires critical thinking on the part of students - they have to apply the knowledge they have to new scenarios. This makes test-prep gimmicks or strategies a non-option. Teachers should be following the district's curriculum that is aligned to the standards to ensure students have the skills and knowledge to achieve success.
- Building critical thinking skills in students is essential if they are to meet the challenges of the 21st century.
- Another difference - PARCC is administered electronically. But, moving to an e-platform not only will eventually help us receive data faster, but also allows for deeper analysis of the data, helping schools better respond to student needs.

- In addition, a by-product of the change has facilitated upgrades in school technology infrastructure, and new training for educators to integrate the newest technologies into the classroom. This pushes us to fully infuse technology in classroom instruction and assessment to better engage students who are digital natives and prepare them for a future where the use of technology is not an option but a necessity.
- Concern with testing times has also been raised. The difference is that PARCC is administered in 'testing windows' or stretches of time within which schools can choose when to schedule testing based upon their calendar and student schedules. There aren't 20 days of testing - rather, there are 20 days within which to schedule testing. This flexibility allows all schools the opportunity to compose a schedule that works best for them with the least disruption of instructional time.
- People have also raised concern about the time devoted to testing. A real concern - but one created, we believe, by the sparse data we were receiving in the past from prior state assessments. This often led districts to purchase additional assessment systems to supplement in order to provide additional insight on student learning. PARCC will help us consolidate a number of assessments we've done in the past that we won't have to do because we get more comprehensive, timely info from one assessment.
- We also recognize and understand the anxiety and apprehension among some parents and educators. We know that some parents have decided to not allow their children to take the PARCC exam. While parents have the right to make that decision for their child we lose an opportunity to gain invaluable information on how their child is progressing. In addition, there may be monetary implications as the federal government does require student participation in a state-wide assessment.
- We understand the concern - this is a time of change - but we also know that the Legislature and New Jersey Department of Education are listening and have changed their position on issues in the past based on input from educators, students and parents. An example, the decrease in weight that the test scores have on evaluation ratings. Everyone recognizes that the first few years of PARCC implementation may not be perfect and necessitates an on-going dialogue focused on PARCC's impact on student learning. We must all commit to monitor and adjust based on our experience with PARCC and the resulting data.
- Finally - realize that we are at the very beginning of this process. We've not even taken 'the test' yet - let's get through the first test administration and then make informed decisions about what changes are needed, if any.

PARCC

STATEWIDE

ASSESSMENT:

COVINO TEACHERS, PARENTS
& SCHOOLS GREATER INSIGHT
INTO STUDENT PROGRESS

A TEST FOR THE 21ST CENTURY

In spring of 2015, New Jersey will begin using a computer-based test called PARCC. This test replaces NJASK in grades 3-8 and HSPA in high school. PARCC was researched, developed and field tested over several years in order to better measure students' mastery of the state's grade-by-grade learning standards in Math and English Language Arts.



ONLINE AND INTERACTIVE

The test includes new question types and is less reliant on multiple-choice answers.



MEASURES REAL LEARNING

PARCC is designed to measure what students truly know and are able to do in each grade level.



DEEP AND COMPREHENSIVE

Unlike previous assessments, PARCC will assess student learning on all of the state's Math and ELA standards. This deeper information about what students are learning will improve teachers' and schools' ability to customize curriculum and instructional strategies for their students.



FLEXIBILITY FOR SCHOOLS

Shorter testing periods across multiple days mean that schools don't have to shut down for testing. Teachers and students who are not testing can be in class.

CRITICAL THINKING FOR THE REAL WORLD

NEW QUESTIONS TEST THE PROBLEM-SOLVING SKILLS THAT COLLEGES AND EMPLOYERS DEMAND. THESE QUESTIONS ASK STUDENTS TO

PROVIDE SUPPORTING EVIDENCE

CONSTRUCT A RESPONSE

ANALYZE AND SYNTHESIZE INFORMATION

CONDUCT RESEARCH SIMULATIONS

PERFORM MULTIPLE COMPUTATIONS

PREPARES KIDS FOR THE SAT/ACT

Unlike previous state tests, PARCC is aligned to the same standards as SAT and ACT.

KEEPS STUDENTS ON TRACK

Powerful PARCC reports will help teachers and parents identify a student's strengths and weaknesses and define whether that student is on track to meet learning goals or if more instruction is needed.

MEASURES COLLEGE READINESS

Over 800 colleges and universities, including NJ institutions of higher education, have helped create the test

CAN HELP STUDENTS BYPASS REMEDIAL EDUCATION

Many colleges around the country plan to use PARCC scores to determine if students can bypass remedial classes.

A RICH SOURCE OF INFORMATION

PARCC score reports will visualize data and empower educators, schools and parents to make important decisions for students.

SCHOOLS CAN

- 7f Identify gaps in school curriculum
- 7f Improve planning and staff development
- Jl Determine which students need more help or enrichment

PARENTS CAN

- I Understand where their child excels or needs attention
- I Gauge their child's performance against students across N.J. and the U.S.

ACCESSIBILITY AND ACCOMMODATIONS

PARCC interactivity allows for enhanced accessibility while retaining all the same accommodations as previous assessments.

ACCESSIBILITY FEATURES

- 7f Directions can be read aloud and repeated if needed.
- 7f Screens can be enlarged for better visibility of words and images.

ALL STUDENTS WILL BE ABLE TO USE SPELL-CHECK, A POP-UP GLOSSARY, AND WORD-PROCESSING TOOLS LIKE COPY AND PASTE.

ACCOMMODATIONS

- 7f ENGLISH LANGUAGE LEARNERS
Accommodations are available for students at various levels of language proficiency, depending on eligibility.
- 7f INDIVIDUALIZED EDUCATION PLANS
Accommodations are available for students with IEPs, including those who need to take the test with a pencil and paper.

HOW TO SUPPORT YOUR CHILD

- 7' Talk with your child's teacher to determine which skills to reinforce at home.
- 7f Access practice tests and sample questions at PARCCOnline.org.

Visit NJSBA.org, NJPTA.org and your school or district's website for additional resources.

SAVE THE DATE!

MARCH

Testing window begins in early March for PARCC Part 1: The performance-based open-ended response assessment.

APRIL

Testing window begins in late April for PARCC Part 2: The end-of-year assessment.

Check with your school for specific testing days and times by grade level.



