

**Resolution of the Bloomfield Board of Education
In Support of the New Jersey Legislature’s Concurrent Resolution
in Reference to the Graduation Requirements Regulations; ELC
lawsuit, and S2147/A3849**

WHEREAS, the state law requiring a graduation test, originally passed in 1979, explicitly requires an 11th grade test that assesses state standards in English Language Arts (ELA) and Math; and

WHEREAS, instead, the State Board of Education has designated the PARCC ELA10, a tenth grade exam, and the PARCC Algebra I test, which is given across a wide range of middle and high school grades, as the primary high school graduation tests; and

WHEREAS, the new rules undermine important protections established by the Legislature, such as eliminating retesting opportunities required by the graduation statute; and

WHEREAS, the designation of a 10th grade graduation test deprives English Language Learners (ELLs) of an extra year to develop their language ability; and

WHEREAS, the use of fee-based tests like the SAT and ACT as “substitute competency tests” through 2020 will restrict low-income students’ access to diplomas; and

WHEREAS, the substitute assessments are also not 11th grade tests and, as the Department of Education has acknowledged, are not aligned with state standards; and

WHEREAS, because New Jersey’s at-risk students are more likely to be members of racial minority groups or ELLs, the use of fee-based assessments will have a negative, disparate impact on these student groups, a violation of their civil rights; and

WHEREAS, under the new rules, the substitute assessments will be eliminated after 2020, and students who do not pass PARCC ELA10 and Algebra 1 will have only one other option to graduate -- the NJ Department of Education’s time-consuming “portfolio appeals” process. Furthermore, access to the portfolio appeal will be restricted to students who took all PARCC exams during their high school years; and

WHEREAS, the concurrent resolution introduced by State Senator Nia Gill (SCR132) in the New Jersey State Senate and by State Assemblywoman Mila Jasey (ACR215) in the New Jersey State Assembly embodies the finding of the Legislature that the State Board of Education’s regulations to revise the assessments required for students to demonstrate graduation proficiency, adopted on August 3, 2016 and published in the New Jersey Register on September 6, 2016, are not consistent with the intent of the Legislature.; and

**Resolution of the Bloomfield Board of Education
In Support of the New Jersey Legislature’s Concurrent Resolution
in Reference to the Graduation Requirements Regulations; ELC
lawsuit, and S2147/A3849**

WHEREAS, the State Board of Education will have 30 days from the date of transmittal of the concurrent resolution to amend or withdraw the regulations, or the legislature may, by passage of another concurrent resolution, exercise its authority under the Constitution to invalidate the regulations;

NOW, THEREFORE, BE IT RESOLVED that the Bloomfield Board Of Education hereby:

1. Urges the New Jersey Legislature to pass the concurrent resolution; and
2. Supports the lawsuit presented by the Education Law Center and the American Civil Liberties Union of New Jersey challenging the use of the PARCC test as a graduation requirement and which asks the court to invalidate the new graduation rules based on their multiple violations of the state constitution’s Education Clause, state education laws and state anti-discrimination laws; and
3. Supports Senate Bill S2147 sponsored by Nia Gill and Assembly Bill A3849 sponsored by Mila Jasey which stipulate that during the 2015-2016 through 2019-2020 school years, the transition period to the new Statewide assessment system, the department may not use standardized test scores to determine a student’s eligibility for high school graduation. The commissioner may continue to designate appropriate tests to be administered to meet Federal and State accountability measures, including meeting the requirements of the “Every Student Succeeds Act,” but the results may not be used to make graduation determinations for individual students; and
4. Supports the efforts of education leaders in the New Jersey Legislature who support public schools and public education.

BE IT FURTHER RESOLVED that this resolution be certified and submitted to our State Representatives, the New Jersey School Boards Association, local municipal leaders, the board secretaries of each school district in the county, the County Office of Education, the Office of the Commissioner of Education, Senator Steve Sweeney, Senator Loretta Weinberg, Senator Teresa Ruiz , Assemblyman Vincent Prieto, Assemblyman Louis Greenwald and Assemblywoman Marlene Caride.