LEGISLATIVE HISTORY CHECKLIST

18A:7C-3

NJSA: 18A:7C-3 et al (High school graduation test--establish 11th grade proficiency program)

LAWS OF: 1988 **CHAPTER:** 168

Bill No: A2928

Sponsor(s): Kyrillos

Date Introduced: April 18, 1988

Committee: Assembly: Education

Senate: Revenue, Finance & Appropriations; Education

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: June 9, 1988

Senate: October 17, 1988

Date of Approval: December 1, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes 9-19-88 & 6-23-88

Fiscal Note No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: Yes

See newspaper clipping--attached:
"Kean signs tough school exam law," 12-2-88 Trenton Times

974.90 New Jersey. Legislature. Assembly. Committee on Education.
E24 Public hearing on A2928, held 4-7-88.
1988b Trenton, 1988

[SECOND REPRINT]

ASSEMBLY, No. 2928

STATE OF NEW JERSEY

INTRODUCED APRIL 18, 1988

By Assemblymen KYRILLOS, VILLANE, Assemblywoman Smith, Assemblyman Bennett, Assemblywoman Farragher, Assemblymen Palaia, Doria and Pascrell

AN ACT establishing an eleventh grade test for high school graduation, amending and supplementing P.L.1979, c.241 [1], supplementing P.L.1975, c.212 and making an appropriation[1].

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P.L.1979, c.241 (C.18A:7C-3) is amended to read as follows:

3. For any student who does not meet the State and district examination standards for graduation by the end of [tenth] eleventh grade, the local board of education when appropriate shall provide additional remedial instruction specifically directed toward mastery of those proficiencies identified as necessary for the awarding of a diploma which may include but need not be limited to an extended school year, extended school day, or additional school years.

Any twelfth grade student who does not meet said requirements but who has met all the credit, curriculum and attendance requirements shall be eligible for a comprehensive assessment of said proficiencies utilizing techniques and instruments other than standardized tests, which techniques and instruments shall have been approved by the Commissioner of Education as fulfilling State and local graduation requirements.

(cf: P.L.1979, c.241, s.3)

2. Section 4 of P.L.1979, c.241 (C.18A:7C-4) is amended to read as follows:

4. All students who meet State and local graduation requirements shall receive a State endorsed diploma; provided, however, that the Commissioner of Education shall approve any State endorsed diploma which utilizes the comprehensive

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1] Assembly AED committee amendments adopted May 16, 1988.
[2] Senate SRF committee amendments adopted September 19, 1988.

assessment techniques as provided in section 3 of [this act] P.L.1979, c.241 (C.18A:7C-3).

Local districts may not provide a high school diploma to students not meeting these standards. Any out-of-school youth or adult age 18 or over who has otherwise met the district graduation requirements but has failed to earn a State endorsed diploma may take [a basic skills] the graduation proficiencies test which has been developed and administered under the auspices of the Commissioner of Education. Upon passing this test, a State endorsed diploma will be granted.

Each board of education shall provide, in a format approved by the Commissioner of Education, a performance transcript for each student leaving secondary school.

(cf: P.L.1979, c.241, s.4)

3. Section 6 of P.L.1979, c.241 (C.18A:7C-6) is amended to read as follows:

6. In the school year which begins in September [1981] 1993, and annually thereafter, the State graduation proficiency test shall be administered to all [ninth] eleventh grade pupils and to [all other high school pupils who have] any eleventh or twelfth grade pupil who has previously failed to demonstrate mastery of State graduation proficiency standards on said test. The mastery of proficiencies required to fulfill local graduation standards shall be determined as appropriate under local board of education assessment plans.

(cf: P.L.1979, c.241, s.6)

4. (New section) The Commissioner of Education shall develop and administer to all eighth grade pupils in the school year which begins in September 1990, and annually thereafter, a test to assess progress toward mastery of State graduation proficiency standards. For any student not meeting established examination standards, the local board of education shall provide for appropriate remediation in areas of demonstrated deficiency. [1]Appropriate remediation may include after school, weekend and summer programs, for which a district shall be entitled to receive State aid pursuant to sections 18 and 20 of P.L.1975, c.212 (C.18A:7A-18 and C.18A:7A-20).[1]

[1]5. (New section) In the development of the graduation proficiency test to be administered to all eleventh grade pupils

pursuant to section 6 of P.L.1979, c.241 (C.18A:7C-6), the Commissioner of Education shall consult with educators, parents, students, business and community representatives and members of minority groups. The test shall measure those basic skills all students must possess to function politically, economically and socially in a democratic society.[1]

[1]6. (New section) a. Beginning with the 1993-94 school year, and in subsequent school years, each school district shall be paid during the current school year, for each eleventh or twelfth grade pupil who receives a failing grade on the graduation proficiency test and who was not enrolled in a basic skills remedial program on the last school day in September of the school year in which the student began the eleventh grade an amount equal to the categorical program support received for a state compensatory education pupil pursuant to section 20 of P.L.1975, c.212 (C.18A:7A-20). These funds shall be used to establish and maintain high school proficiency test remediation programs for these additional eleventh and twelfth grade pupils failing the graduation proficiency test. Funds shall be expended for remedial programs which may include after school, weekend and summer programs, and only upon approval of the remedial programs by the Department of Education.

b. Beginning with the 1993-94 school year each school district shall set forth separately in the budget statement required by N.J.S.18A:22-8 the amount of appropriations required for a one year period to provide the remedial programs described in subsection a. of this section to be funded by categorical support. School districts may carry over these funds into the subsequent school year only to provide the remedial programs described in subsection a. of this section and shall expend the funds by January 1 of that year.[1]

[1]7. (New section) Not later than September 1, 1989 and annually thereafter, the Commissioner of Education shall report to the Governor and Legislature on the impact of the State graduation proficiency test required pursuant to section 6 of P.L.1979, c.241 (C.18A:7C-6). In addition to including data on test performance of students, this annual report shall include data on the number of students who have dropped out of school, the number of students who have failed to take the test,

curriculum realignments in grades K-12 to prepare students for the examination, analysis of remediation efforts for students who have failed the examination, testing requirements and practices in grades K-8 and any other related matters requested by the Chairman of the Joint Committee on the Public Schools or the chairman of the education committee of either House of the Legislature. The report shall also enumerate the efforts by the Department of Education to assist local school districts in the areas of pupil retention, curriculum alignment and remediation.[1]

[1]8. (New section) a. Not later than September 1, 1990 the Joint Committee on the Public Schools shall evaluate and report to the Legislature on the status of proficiency testing in the public schools of New Jersey. Among other topics the report shall specifically address: (1) how New Jersey's testing program compares to that in other states, (2) the advisability of requiring State administered tests in elementary grades, and (3) whether any changes in the statutes providing for the State graduation proficiency test are appropriate. The committee's analysis shall include an evaluation of all provisions of this amendatory and supplementary act and any recommendations for additional legislation. The joint committee shall use the funds appropriated or otherwise made available, in addition to all other resources to which the committee may have access, to secure the expertise necessary to conduct this evaluation and shall report its findings to the Governor and Legislature.

b. Beginning in 1991, the Joint Committee on the Public Schools shall undertake an annual evaluation of the report submitted to the Legislature by the Commissioner of Education pursuant to section 7 of this amendatory and supplementary act.[1]

[1]9. (New section) There is appropriated from the General Fund to the Legislature $95,000 to implement the provisions of section 8 of this amendatory and supplementary act.[1]

[1][5] 10.[1] [1][This] Sections 1 through [2][6] 3[2] of this act shall take effect immediately for the purposes of planning and development; however, sections 1[2], 2[2] and 3 shall not take effect until July 1, 1993 and the graduation standards provided for herein shall only apply to pupils who are enrolled in the eighth grade during the 1990-91 school year and scheduled to graduate from secondary school at the completion of the 1994-1995 school

year. [1]Sections [2][7, 8 and 9] 4 through 10[2] shall take effect immediately.[1]

EDUCATION

Students

Establishes an eleventh grade high school graduation test and appropriates $95,000 for Legislative oversight.

STATEMENT

This bill establishes an eleventh grade test as a requirement for high school graduation. The new graduation test would be given to eleventh graders beginning in the 1993–1994 school year. Pupils who fail to meet the standards could retake the examination in the eleventh grade and again in the twelfth grade. The test would, therefore, first apply to students who are scheduled to graduate in the Spring of 1995. The ninth grade proficiency test will continue to apply to students scheduled to graduate prior to th spring of 1995.

Under the bill, beginning in the 1990–91 school year, students would be tested in the eighth grade to assess their progress toward mastery of State graduation proficiency standards. Remediation would be provided for students who fail to meet the examination standards.

EDUCATION

Students

Establishes an eleventh grade high school graduation test.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2928

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 1988

The Assembly Education Committee favorably reports Assembly, No. 2928 as amended.

As amended, this bill establishes an eleventh grade test as a requirement for high school graduation. The new graduation test would be given to eleventh graders beginning in the 1993-1994 school year and replace the ninth grade high school proficiency test. Pupils who fail to meet the standards could retake the examination in the eleventh grade and again in the twelfth grade. The test would, therefore, first apply to students who are scheduled to graduate in the Spring of 1995. The ninth grade proficiency test will continue to apply to students scheduled to graduate prior to the spring of 1995.

Under the bill, beginning in the 1990-91 school year, students would be tested in the eighth grade to assess their progress toward mastery of State graduation proficiency standards. Remediation would be provided for students who fail the eighth grade test. In addition, the bill provides for current year compensatory education funding for any student who is not enrolled in a compensatory education program and who fails the eleventh grade test.

The Commissioner of Education will be required to make annual reports on the department's testing program, including information on drop-outs, remediation, curriculum alignment and related matters. By September, 1990, the Joint Committee on the Public Schools shall evaluate the department's report and report to the Legislature on the status of proficiency testing, including recommendations for changes in this law. Annually thereafter the joint committee will evaluate the department's report.

In addition to the provisions for compensatory education funding and the reporting and oversight provisions, the committee amendments require that the commissioner consult with appropriate groups and individuals in developing the test and reiterate the sponsors' intention that the test reflect those skills necessary to function politically, economically and socially in a democratic society. In addition the committee amendments appropriate $95,000.00 to enable the joint committee to undertake the required analyses.

SENATE REVENUE, FINANCE AND APPROPRIATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 2928

with Senate committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 1988

The Senate Revenue, Finance and Appropriations Committee reported Assembly Bill No. 2928 [1R] favorably, with committee amendments.

Assembly Bill No. 2928 [1R], as amended, establishes an eleventh grade test as a requirement for high school graduation. The new graduation test would be given to eleventh graders beginning in the 1993-1994 school year and replace the ninth grade high school proficiency test. The commissioner is required to consult with appropriate groups and individuals in developing the test and the test must reflect those skills necessary to function politically, economically and socially in a democratic society. The bill also appropriates $95,000 to permit the Joint Committee on the Public Schools to report on the status of proficiency testing in the State.

Pupils who fail to meet the standards may retake the examination in the eleventh grade and again in the twelfth grade. The test would, therefore, first apply to students who are scheduled to graduate in the spring of 1995. The ninth grade proficiency test will continue to apply to students scheduled to graduate prior to the spring of 1995.

Under the provisions of the bill, beginning in the 1990-91 school year, students would be tested in the eighth grade to assess their progress toward mastery of State graduation proficiency standards. Remediation would be provided for students who fail the eighth grade test. In addition, the bill provides for current year compensatory education funding for any student who is not enrolled in a compensatory education program and who fails the eleventh grade test.

The Commissioner of Education will be required to make annual reports on the department's testing program, including information on drop-outs, remediation, curriculum alignment and related matters. By September 1990, the Joint Committee on the Public Schools shall evaluate the department's report and report to the

Legislature on the status of proficiency testing, including recommendations for changes in this law. Annually thereafter the joint committee will evaluate the department's report.

This bill, as amended, is identical to Senate Bill No. 2547, as amended, which is also before the Committee today.

COMMITTEE AMENDMENTS

The committee amendments clarify the effective date.

FISCAL IMPACT

This bill appropriates $95,000 from the General Fund to the Legislature for the Joint Committee on the Public Schools. The committee is to evaluate and report to the Legislature concerning the status of proficiency testing in the State.

Information provided by the Department of Education estimates the costs of developing the eighth grade and eleventh grade tests and administering the ninth grade test to be approximately $3,000,000 a year beginning in FY 1991. The cost would decline to $2,250,000 in FY 1995 when the ninth grade test would be discontinued. If a 10% inflation factor is used beginning in FY 1991, the cost would be approximately $3,300,000 by FY 1995.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 2928

STATE OF NEW JERSEY

DATED: JUNE 23, 1988

The Senate Education Committee favorably reports this bill without committee amendments.

This bill establishes an eleventh grade test as a requirement for high school graduation. The new graduation test would be given to eleventh graders beginning in the 1993-1994 school year and replace the ninth grade high school proficiency test. The commissioner would be required to consult with appropriate groups and individuals in developing the test and the test must reflect those skills necessary to function politically, economically and socially in a democratic society.

Pupils who fail to meet the standards could retake the examination in the eleventh grade and again in the twelfth grade. The test would, therefore, first apply to students who are scheduled to graduate in the Spring of 1995. The ninth grade proficiency test will continue to apply to students scheduled to graduate prior to the spring of 1995.

Under the bill, beginning in the 1990-91 school year, students would be tested in the eighth grade to assess their progress toward mastery of State graduation proficiency standards. Remediation would be provided for students who fail the eighth grade test. In addition, the bill provides for current year compensatory education funding for any student who is not enrolled in a compensatory education program and who fails the eleventh grade test.

The Commissioner of Education will be required to make annual reports on the department's testing program, including information on drop-outs, remediation, curriculum alignment and related matters. By September, 1990, the Joint Committee on the Public Schools shall evaluate the department's report and report to the Legislature on the status of proficiency testing, including recommendations for changes in this law. Annually thereafter the joint committee will evaluate the department's report.

The bill appropriates $95,000.00 to enable the joint committee to undertake the required analyses.

This bill is identical to Senate Bill No. 2547.