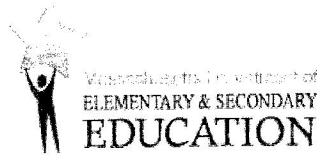


Guide to the MCAS Performance Appeals Process

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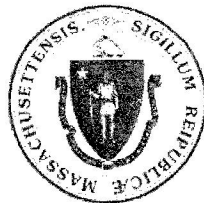


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I. Background

A. The Massachusetts Competency Determination Requirement

The Massachusetts Education Reform Act of 1993 requires that all students who are seeking to earn a high school diploma, including students educated at public expense in educational collaboratives and approved and unapproved private special education schools within and outside the state, must meet the Competency Determination (CD) standard, in addition to meeting all local graduation requirements.

Students must **either** earn a scaled score of at least 240 on the grade 10 MCAS English language arts (ELA) and mathematics tests **or** earn a scaled score between 220 and 238 on these tests and fulfill the requirements of an Educational Proficiency Plan (EPP). Information on the EPP is available from the Office of College and Career Readiness.

Students must also earn a scaled score of at least 220 on one of the high school MCAS science and technology/engineering (STE) tests: biology, chemistry, introductory physics, or technology/engineering.

Please review the Massachusetts high school graduation requirements for more information.

B. The MCAS Performance Appeals Process

In addition to the standard MCAS tests, retests, and alternate assessment, students may earn a CD through the MCAS Performance Appeals process. The Board established this process in 2002 for students who have been unable to demonstrate the required performance level on MCAS tests to show through their coursework that they have the knowledge and skills to meet or exceed the passing standard. When granted, a performance appeal is not a waiver of CD requirements, but an alternative option for earning the CD.

If school and district officials believe that there is compelling evidence that a student has demonstrated the attainment of the state's learning standards through coursework, the superintendent may submit a performance appeal to the Commissioner on behalf of the student.

Before a performance appeal will be considered, evidence must be presented to show that the student meets performance appeal eligibility guidelines. The Commissioner has the authority to waive one or more of the eligibility requirements if there are extenuating circumstances such as serious illness or other hardship. In these cases, the superintendent must submit a written justification for a waiver of eligibility requirements.

II. Overview of MCAS Performance Appeals

A. Eligibility Criteria

For a performance appeal to be considered, a superintendent or executive director must submit evidence that shows that the student meets the following eligibility requirements:

1. The student has taken the test/retest in the content area of the appeal, as follows:
 - For **ELA**, at least **three** times (or completed the ELA MCAS-Alt twice) at the high school level
 - For **mathematics**, at least **three** times (or completed the mathematics MCAS-Alt twice) at the high school level
 - For **STE**, at least **once** (or completed an STE MCAS-Alt once) at the high school level and is **currently enrolled** in a high school STE course or has completed grade 12. The appeal must be in the same STE discipline as the MCAS test taken by the student.
2. The student has maintained a minimum attendance rate of 95% during the school year prior to and during the year of the appeal (e.g., no more than nine days absent from school during a 180-day school year).
3. The student has participated in school-sponsored tutoring or other academic support services in the content area of the appeal.

The Commissioner has the authority to waive one or more of the eligibility requirements described above if there are extenuating circumstances such as serious illness, childcare commitments, hardship, or disability. In such cases, the superintendent or executive director must include a written justification for a waiver with the appeal application.

If an appeal is denied, or if the appeals review board is not able to make a determination on the appeal, but additional information becomes available, the district may submit a subsequent appeal on behalf of the student, as long as the student meets the eligibility requirements. If an STE appeal has been denied, **the student must take another MCAS discipline-specific test in either the same or a different high school STE subject** (i.e., biology, chemistry, introductory physics, or technology/engineering) in order to be eligible for a subsequent appeal.

* Students who transfer to a publicly funded Massachusetts high school in mid-March or later of their senior year are exempt from the eligibility requirements. Please see Section B for instructions for submitting transcript appeals for these students.

B. MCAS Performance Appeal Formats and Required Evidence

This section describes the three types of performance appeals and the requirements of each. An MCAS Performance Appeal Application must be submitted with all appeals.

1. Cohort Appeal

A cohort appeal is based on a comparison of the grade point average (GPA) and MCAS scores of the student for whom the appeal is filed (appellant) and those of other students in the school (the cohort) who were enrolled in the same courses at the same time as the appellant in the subject of the appeal and who scored between 220 and 228 on the MCAS test in the subject of the appeal.

The superintendent or executive director must complete a 2016–2017 cohort worksheet listing the GPAs and MCAS scores of both the appellant and the students in the cohort. **All students who meet the criteria listed above must be included on the cohort worksheet.**

At least six students must be included in the cohort in order for the appeal to be reviewed.

Cohort appeals are reviewed monthly during the school year (October through June) and must be submitted by the **first Friday of the month** in which the appeal will be reviewed. Decisions are communicated to the superintendent within 10 days of the review.

Detailed information on filing cohort appeals is provided in Section C.

2. Portfolio Appeal

In cases in which there are fewer than six students in the school who have taken the same sequence of courses as the appellant, it will not be possible to file a cohort appeal for a student.

In such cases, the superintendent or executive director may submit a portfolio of the student's current and/or cumulative work in the content area of the appeal, according to the guidelines for filing portfolio appeals for the competency determination.

Portfolio appeals are reviewed three times each year, in November, May, and July. Notification of decisions will be made according to a published timetable. Additional information on filing portfolio appeals is provided in Section C.

3. Transcript Appeal

Students who transfer to a publicly funded Massachusetts high school after the MCAS retests are administered (i.e., in mid-March or later) of their senior year are not required to meet the eligibility requirements to submit an MCAS Performance Appeal because the student would not have had sufficient time in which to take the required MCAS tests or retests. Instead, the district may submit transcripts, GPA, standardized test scores, college acceptance letters, and other relevant academic evidence with the completed appeal application, along with the date of the student's transfer to the high school.

Students who transfer to a publicly funded Massachusetts high school between September and March of their senior year must participate **at least once** in the MCAS retests and February Biology or June high school STE test before an appeal will be considered.

Please see additional information about submitting transcript appeals in Section C below and in the *Frequently Asked Questions about the MCAS Appeals Process*.

C. Filing MCAS Performance Appeals

Only a district superintendent (or designee) or executive director of a charter school, approved private special education school, educational collaborative, or special education in an institutional setting (SEIS) program may file a performance appeal on behalf of a student. The Department encourages the executive directors of out-of-district programs to collaborate, if possible, with the student's home district when submitting an appeal.

If a superintendent or executive director declines to file an appeal for a student and the parent or guardian disagrees with the decision not to file an appeal, the parent or guardian should request an explanation. The parent or guardian may also discuss the matter with the school committee. If the parent or guardian (or student, age 18 or older) does not agree with the school committee's decision, he or she may contact the Department directly.

An appeal for a **student with a disability** *must* be filed if the parent or guardian (or student, age 18 or older) requests it. Superintendents or executive directors may also initiate an appeal for a student with a disability upon receipt of written consent from the parent or guardian (or student, age 18 or older). Please see MCAS Performance Appeals for Students with Disabilities for more information.

There are no exemptions or waivers for any student from meeting the state's academic performance standard in order to attain the CD. Students for whom evidence of meeting the minimum academic standard cannot be provided should continue to receive instruction in mathematics, ELA, or STE, and continue to take MCAS tests and retests. The student and/or his or her parent or guardian may also ask school leaders to submit a subsequent appeal if relevant new information becomes available.

All appeals—cohort, portfolio, and transcript—must include a completed MCAS Performance Appeal Application. Each appeal category has specific additional materials that must be submitted, as described below.

1. Filing a Cohort Appeal

To file a cohort appeal, the superintendent or executive director must complete a cohort worksheet (in Microsoft Excel) electronically. Customized or handwritten cohort worksheets will **not** be accepted.

Please review the instructions for completing the cohort worksheet. GPAs **must** be end-of-course grades; no quarterly or partial grades will be accepted, unless the student transferred into the school in grade 12.

The cohort worksheet **must** include the following:

- A cohort group consisting of **all** students in the school whose MCAS scores in the relevant subject are between 220 and 228 and who took the same relevant course(s) at the same time as the appellant. The cohort must include six or more students who meet these criteria.
- If at least six students cannot be included in the cohort, the district may include students who scored above 228 using a **modified cohort worksheet** that must be requested from the Department at mcasappeals@doe.mass.edu. The MCAS score range for the cohort should be extended only to the minimum score above 228 needed to attain a comparison group of at least six students. **All** students in the extended MCAS score range must be included in the comparison group (i.e., if the scores of 220–236 will be included, all students who scored 220–236 and took the same relevant course(s) as the appellant must be included in the cohort). Please specify the highest MCAS score that will be included when requesting a modified cohort worksheet,
- State Assigned Student Identifiers (SASIDs) for the appellant and all students in the cohort
- Course titles and grade levels for each course included on the worksheet
- End-of-course grade point averages for the appellant and for each student in the cohort for each course listed
 - Quarterly or partial GPAs may **not** be used unless the student transferred into the school in grade 12
- The highest MCAS test score received by the appellant in the subject of the appeal, as well as for each student in the cohort

Course descriptions for *all* courses listed on the cohort worksheet are required. Course descriptions should indicate the breadth and depth of the course and which curriculum framework content standards in the subject of the appeal were addressed. An appeal will only be granted if the courses included in the cohort worksheet fully address (together or separately) the curriculum framework in the subject of the appeal.

- For **ELA** appeals, the courses listed should be those taken in grades 10 and 11. Courses in grade 9 and grade 12 may also be included at the school's discretion.
- For **Mathematics** appeals, algebra and geometry courses must be included. Other relevant courses may also be included at the school's discretion.
- For **STE** appeals, the course(s) listed may have been taken in grades 9, 10, or 11. Only one course is required, and it must be in the same discipline as the MCAS STE test taken by the student (i.e., biology, introductory physics, chemistry, or technology/engineering). Courses that indicate partial coverage of the high school standards, or that are part of a series of courses (e.g., "Biology I") must be listed on the cohort worksheet together with all courses in the series, or the appeal may not be granted.

If the appellant has attended more than one high school, transcripts from previous high schools should be included, where available.

Cohort appeals are reviewed monthly from October through June.

2. Filing a Portfolio Appeal

Each portfolio appeal must be accompanied by an MCAS Performance Appeal Application and must include the components described for each subject in the guidelines for filing portfolio appeals. Each piece of student work in the portfolio must be attached to a completed High School Competency Portfolio Work Description form.

The student's work must be at a comparable level to a student who has scored at least *Needs Improvement* (i.e., 220) on the grade 10 MCAS ELA, Mathematics, or STE test or retest in order for the appeal to be granted.

Portfolios are reviewed three times each year and must be submitted according to the published timetable.

3. Filing a Transcript Appeal

Each transcript appeal must be accompanied by an MCAS Performance Appeal Application and must include the following information, when available:

- a completed cohort worksheet if the student has taken a high school MCAS test in the subject of the appeal and has completed at least two quarters of a relevant course
- transcripts from current and previous high schools
- standardized test scores (e.g., MCAS, SAT, etc.)
- college acceptance letters
- academic awards and scholarships

- the date of transfer to the high school

Transcript appeals are reviewed monthly from October through June.

Please refer to information about submitting requests for special consideration for high school students in military families.

D. Evaluation of Performance Appeals

Cohort and transcript appeals are reviewed by the MCAS Performance Appeals Board, a panel of educators who meet monthly during the school year to review the information submitted and make a recommendation to the Commissioner about the outcome of the appeal.

Portfolio appeals are reviewed by the Portfolio Appeals Review Panel made up of high school content experts in ELA, mathematics, and STE who evaluate the evidence submitted in the portfolios and make recommendations as to whether the portfolio has met all requirements to earn the CD.

Each appeal will result in one of the following **findings**:

- **Granted** — the student will earn a CD based on the appeal finding
- **Denied** — the student will *not* earn a CD based on the appeal finding
- **No Determination** — a finding could not be made based on the information submitted in the appeal

III. Communicating Performance Appeals Results to Districts

A. Cohort Appeals and Transcript Appeals

Within 10 school days of the Appeals Board's decision, the Commissioner will fax and mail the results of each appeal—including a finding and a decision code explaining the finding—to the superintendent or executive director who submitted the appeal. The district will receive a sample parent letter that must be sent by the district to the parent or guardian of each appellant.

If the superintendent or executive director disagrees with the appeals finding, he or she may request reconsideration of the finding within 21 days from the receipt of the Commissioner's decision.

B. Portfolio Appeals

Results are sent by mail to the principal and superintendent or executive director four to five weeks after the Appeals Board reviews the portfolio appeal. The portfolios are returned by mail to the principal with the finding(s).

If an appeal is not granted, the district may resubmit the appeal for the next review with any additional information that has become available.

IV. Resources

A frequently asked questions (FAQ) guide is available to answer common questions about MCAS appeals. Additional information can also be found on the MCAS Appeals website. You may also email mcasappeals@doe.mass.edu or call 781-338-3333 with additional questions about MCAS Appeals.