

A Guide to the MCAS Performance Appeals Process

October 2009

Table of Contents

I. The Massachusetts Competency Determination Requirement.....	3
III. Overview of MCAS Performance Appeals	4
<i>Eligibility Criteria</i>	4
<i>Types of MCAS Performance Appeals and Evidence Required</i>	5
IV. Who is Eligible to File an MCAS Performance Appeal?	6
V. How to File a Performance Appeal.....	6
<i>Filing a Cohort Appeal</i>	6
<i>Filing a Portfolio Appeal</i>	8
VII. How Are Results of a Performance Appeal Communicated to Districts?	9
VIII. Resources	9

I. The Massachusetts Competency Determination Requirement

The [Education Reform Act of 1993](#) requires that all publicly funded Massachusetts high school students earn a Competency Determination (CD) and fulfill local graduation requirements in order to obtain a high school diploma.

Beginning with the class of 2010, 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 at www.doe.mass.edu/hsreform/epp/. Also beginning with the class of 2010, students must 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. For more information about Massachusetts high school graduation requirements please visit www.doe.mass.edu/mcas/graduation.html.

II. Pathways to Earning a Massachusetts Competency Determination

The primary means by which students earn a CD is by meeting or exceeding the requisite scaled score on the MCAS high school tests or retests. Students with disabilities who are unable to participate in standard MCAS tests, even with accommodations, can earn a CD through the MCAS Alternate Assessment (MCAS-Alt) — a portfolio of work samples that demonstrate a student’s academic knowledge, skills, and achievements. Through the MCAS-Alt portfolio, a student may show that he or she has attained the equivalent of a scaled score of 220 or higher on the high school MCAS tests.

In addition to these pathways, the Board of Elementary and Secondary Education established the MCAS Performance Appeals process in 2002. This process provides students with an alternative opportunity to demonstrate that they possess the knowledge and skills to meet the academic standard required for graduation, even though they have not yet passed the grade 10 MCAS tests or retests in ELA, mathematics, and STE.

If, after three unsuccessful attempts to earn a CD by taking the MCAS tests and retests in ELA and mathematics (one attempt in STE), school and district officials believe that there is compelling evidence that the student has achieved the required level of performance to earn a CD, the school and district may submit a performance appeal to the Commissioner of Elementary and Secondary Education on behalf of the student. When granted, a performance appeal is not a waiver of the CD requirement, but an alternative method to earn the CD.

III. Overview of MCAS Performance Appeals

Eligibility Criteria

For a performance appeal to be considered, a superintendent 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 **English language arts**: The student has taken the grade 10 ELA test/retest at least **3** times (or completed an MCAS Alternate Assessment twice at grade 10 or higher).
 - For **mathematics**: The student has taken the grade 10 mathematics test/retest at least **3** times (or completed an MCAS Alternate Assessment twice at grade 10 or higher).
 - For **science and technology/engineering**: The student has taken an MCAS high school STE discipline-specific test or MCAS Alternate Assessment at least **once**, and is currently enrolled in a high school STE course or has completed grade 12.
2. The student has maintained a minimum attendance rate of 95% during the school year prior to and during the year of the appeal (i.e., 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 above eligibility requirements if there are extenuating circumstances such as serious illness, childcare commitments, hardship, or disability. In such cases, the superintendent must submit a written justification for a waiver.

If an appeal is denied, the superintendent may submit a subsequent appeal on behalf of the student, as long as the student meets the eligibility requirements. **To be eligible for a subsequent appeal in STE, a student must first take an MCAS discipline-specific test in either the same or different high school STE subject (i.e., biology, chemistry, introductory physics or technology/engineering).**

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

Types of MCAS Performance Appeals and Evidence Required

There are two types of performance appeals: *cohort appeals* and *portfolio appeals*. Information on the evidence required and the procedure for filing each appeal follows.

A. Cohort Appeal

A cohort appeal is based on a comparison between the grade point averages (GPAs) and MCAS scores for the student under appeal and the GPAs and MCAS scores of at least **six** other students in the school who were enrolled in the same sequence of courses in the content area of the appeal.

To submit a cohort appeal, superintendents must include the following information:

- Evidence that the students in the comparison (cohort) group were enrolled in the same sequence of academic courses (or equivalent courses) as the student for whom the appeal is being filed **and** scored between 220 and 228 on an MCAS test in the subject area of the appeal¹. **All** students who meet these criteria must be included in the cohort.
- GPAs of the student for whom the appeal is being filed and for the students in the cohort.

Cohort appeals are reviewed monthly during the school year and should be submitted by the second week of each month. Decisions are communicated to the superintendent within 10 days of the review.

Detailed information regarding the evidence required for a cohort appeal, as well as the process for submitting evidence for a cohort appeal, is provided in Section V of this document.

B. Portfolio Appeal

In a small number of cases, it may not be possible to use a student's course grades for the purpose of filing an MCAS performance appeal. For example, there may be fewer than six (6) students in the school who have taken the same sequence of courses as the student for whom the performance appeal is being filed. In such cases, the superintendent (or director of a charter school, education collaborative, approved private special education school, or educational services in institutional settings) should submit a portfolio of the student's current and/or cumulative work in the content area of the appeal.

Portfolio appeals are reviewed three times each year in November, April, and June, and notifications regarding decisions are made, according to a published timetable [[link to www.doe.mass.edu/mcasappeals/filing/portfolio/](http://www.doe.mass.edu/mcasappeals/filing/portfolio/)].

¹ If the sample size permits, the cohort evidence should be restricted to students in the cohort who scored between 220 and 228 on the MCAS test for the subject of the appeal. This is meant to exclude students whose performance exceeds the minimum passing standard required for a successful performance appeal.

Detailed information regarding evidence required for a portfolio appeal, as well as the process for submitting evidence for a portfolio appeal, is provided in Section V of this document.

IV. Who is Eligible to File an MCAS Performance Appeal?

Only a district superintendent or designee, leader of a charter school, approved private special education school, educational collaborative, or educational service in an institutional setting may file a performance appeal on behalf of a student. The Department recommends that directors of out-of-district placements collaborate with a student's sending district when filing appeals.

If a superintendent or designee 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 student or parents do not agree with the school committee's decision, they may contact the Commissioner directly.

Additionally, superintendents **must** file an appeal for a student with a disability if the parent/guardian (or student, aged 18 or older) requests it. Superintendents may also initiate an appeal for a student with a disability upon receipt of written consent from the parent/guardian (or student, aged 18 or older).

Students must demonstrate 220-level work through evidence submitted either on the cohort worksheet or in the portfolio; there are no exemptions from meeting the 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 retests. The student and/or his or her parent/guardian may also ask school authorities to submit a subsequent appeal if new information becomes available.

V. How to File a Performance Appeal

All appeals—cohort and portfolio—must include a completed MCAS Performance Appeal Application [link to www.doe.mass.edu/mcasappeals/filing/]. Each type of appeal has specific additional requirements that must be met, as described below.

Filing a Cohort Appeal

Cohort appeals are reviewed monthly during the school year. Superintendents should submit cohort appeals by the **first** week of the month in order for them to be considered at that month's meeting of the MCAS Performance Appeals Board. Within 10 days of the Appeals Board's decision, the Commissioner notifies the superintendent of the decision. The superintendent then has 21 days to request reconsideration.

To file a cohort appeal, the superintendent must complete the cohort worksheet, [link to <http://www.doe.mass.edu/mcasappeals/filing/cohort.xls>], a Microsoft Excel spreadsheet, electronically. Customized or handwritten cohort worksheets will not be accepted.

Instructions on completing the cohort worksheet can be found at www.doe.mass.edu/mcasappeals/filing/cohort_guide.html. GPAs must be end-of-course grades; no quarterly or partial grades will be accepted.

The cohort worksheet **must** include:

1. State-Assigned Student Identifiers (SASIDS) for appellant and students in the cohort

The cohort is defined as **all** students in the school who:

- took the same sequence of courses as the student who is the subject of the appeal **and**
- scored between 220 and 228 on the MCAS test in the subject area of the appeal.

The cohort must consist of at least six other students, in addition to the student under appeal.

2. Course titles for each course included in the worksheet;

Descriptions of courses with titles other than Algebra, Geometry, English, Biology, Chemistry, Introductory Physics, or Technology/Engineering must be provided.

Course descriptions, if submitted, must indicate how the curriculum framework content standards in the subject of the appeal (i.e., either grade 10 ELA or mathematics, or discipline-specific STE) were addressed in the course.

For an appeal in ELA or mathematics, the courses listed should be those taken in grades 10 and 11. Grade 9 and grade 12 courses may also be used at the school's discretion.

For an appeal in STE, the course(s) may have been taken in grades 9, 10, and/or 11.

3. End-of-course grade point averages for the student filing the appeal and for each student in the cohort for each course listed

Quarterly or partial GPAs may not be used.

4. The highest MCAS test score received in the subject of the appeal by the student filing the appeal, as well as for each student in the cohort in the subject of the appeal

The test scores for the students in the cohort must be between 220 and 228.

Transfer Students

If a student first enrolls in the high school between September and March of his or her senior year, the student will have the opportunity to participate at least once in the MCAS retests and the February Biology Test. The appeal application should include the student's results on the MCAS retests and/or the Biology test. A worksheet must also be completed and submitted with a one-year cohort in the area of the appeal, along with the student's transcripts and any other academic evidence indicating that he or she meets the passing standard in the subject of the appeal.

Students who transfer to a publicly funded Massachusetts high school in mid-March of their senior year or later are not required to submit the evidence listed above. Transcripts, GPAs, standardized test scores, college acceptance letters, and any other relevant academic evidence should be included with the completed appeal application. The date of transfer to the high school must also be included.

Filing a Portfolio Appeal

Each portfolio appeal must be accompanied by an MCAS Performance Appeal Application [link to www.doe.mass.edu/mcasappeals/filing/] and must include the components specified for each subject as described in the [guidelines for filing portfolio appeals](http://www.doe.mass.edu/mcasappeals/filing/portfolio/guidelines.html) www.doe.mass.edu/mcasappeals/filing/portfolio/guidelines.html. Each piece of student work in the portfolio must be attached to a completed Grade 10 Competency Portfolio Work Description form which describes the work and its creation. Work description forms for each subject are available at www.doe.mass.edu/mcasappeals/filing/portfolio/guidelines.html.

Portfolios must reflect student performance based on the Massachusetts curriculum framework content standards for grade 10 (or high school, for STE) and must include the components listed in the guidelines for filing portfolio appeals.

VI. How Are Performance Appeals Evaluated?

A cohort appeal is reviewed by the MCAS Performance Appeals Board, composed of educators who meet monthly during the school year to review the student's academic record on the cohort worksheet and make a recommendation to the Commissioner.

A portfolio appeal is reviewed by the MCAS Portfolio Appeals Panel, composed of teams of high school English language arts, mathematics, and science and technology/engineering educators. Content experts review each eligible portfolio to evaluate the evidence submitted. The reviewers make a recommendation to the Commissioner based on whether the portfolio has met all requirements for the Competency Determination.

Recommendations include one of the following:

1. grant the appeal
2. deny the appeal
3. make no determination regarding the appeal

Refer to the decision codes www.doe.mass.edu/mcasappeals/filing/decision_code.html for specific information about each recommendation.

VII. How Are Results of a Performance Appeal Communicated to Districts?

Cohort appeals are reviewed monthly during the school year. Within 10 days of the Appeals Board's decision, the Commissioner notifies the superintendent of the decision. The superintendent has 21 days from the receipt of the Commissioner's decision to request reconsideration.

Portfolio appeals may be submitted three times each year for consideration in November, April, and June, with notification of the decisions about six weeks thereafter, according to a [published timetable](#) <http://www.doe.mass.edu/mcasappeals/filing/portfolio/>.

VIII. Resources

A frequently asked questions (FAQ) guide at www.doe.mass.edu/mcasappeals/faq.html will answer most questions about MCAS appeals. Additional information can also be found on the MCAS Appeals website at www.doe.mass.edu/mcasappeals/. You may email mcasappeals@doe.mass.edu or call MCAS Performance Appeals at 781-338-3333 with additional questions.