

Education—High School—Eleventh Grade Graduation Test—N.J. Stat. Ann. §§ 18A:7A-20.1; 18A:7C-3, -4, -6, -6.1, -6.2, -10, -11 (West 1989).

The Act establishes an eleventh grade test for high school graduation, and provides funding to report the status of proficiency testing in New Jersey.¹ The graduation test is to be administered to eleventh grade students beginning in the 1993-94 school year, thereby replacing the existing ninth grade high school proficiency test.² The Act proposes that in September 1993 and annually thereafter, the state graduation proficiency test will be administered to all eleventh grade students and to any eleventh or twelfth grade student who had previously failed the test.³ Local boards of education will determine the necessity for remedial instruction for students that failed the test.⁴ Remedial programs may include an extended school year, an extended school day, or additional school years.⁵

Any twelfth grade student who fails to master the proficiencies of the test, but meets all other credit, curriculum, and attendance requirements, will be eligible for a comprehensive assessment as a means of fulfilling state and local graduation requirements.⁶ This comprehensive assessment procedure utilizes techniques and instruments, other than standardized tests, which have received approval by the Commissioner of Education.⁷ A state endorsed diploma will be awarded to students who meet state and local requirements through the comprehensive assessment procedure.⁸

The Act states that students who are out of school or age eighteen or over and have met all other district graduation requirements, but have failed to earn a state endorsed diploma, may take the graduation proficiency test, and upon passing, receive a state endorsed diploma.⁹ The Act specifically requires a

¹ N.J. STAT. ANN. § 18A:7C-6 (West 1989).

² *Id.*

³ *Id.*

⁴ *Id.* § 18A:7C-3.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* § 18A:7C-4.

⁹ *Id.*

graduation proficiency test as opposed to a basic skills test noted in the original legislation.¹⁰ Local school districts may not provide a high school diploma to students not meeting these standards.¹¹

The Act requires the Commissioner of Education to consult parents, educators, students, businesses, community representatives, and members of minority groups in the development of the eleventh grade test.¹² The Act delineates the purpose of the test to be a measure of basic skills needed by all students to function politically, economically, and socially in a democratic society.¹³ In addition to the eleventh grade graduation test, the Act proposes that the Commissioner of Education develop and administer to all eighth grade pupils an annual test.¹⁴ Administration is proposed for September 1990 and its purpose is to assess progress toward the mastery of state graduation proficiency standards.¹⁵ Remedial programs will be implemented and local school districts will receive appropriate state funds for such programs.¹⁶

The Act proposes that beginning in the 1993-94 school year, funding for remedial programs will be based on the number of eleventh or twelfth grade pupils in each school district who fail the graduation proficiency test, and who were not previously enrolled in basic skills remediation or compensatory education in the previous school year.¹⁷ School districts receiving such funds will be required to establish and maintain remedial programs for eleventh and twelfth grade pupils who fail the graduation proficiency test.¹⁸ The remedial programs can include after school, weekend, and summer programs and must receive the approval of the Department of Education.¹⁹ Each school district must set forth separately in its budget statements the amount of appropriation needed for providing one year of remedial instruction to

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.* § 18A:7C-6.1.

¹³ *Id.*

¹⁴ *Id.* § 18A:7C-6.2.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.* § 18A:7A-20.1.

¹⁸ *Id.*

¹⁹ *Id.*

students who have failed the proficiency test.²⁰ Funds are permitted to be carried over into the subsequent school year for these remedial programs, but must be expended by January 1 of that year.²¹

Beginning on September 1, 1989, the Commissioner of Education must report annually to the Governor and legislature on the impact of the state proficiency testing program.²² This annual report will contain information regarding student performance, as well as the impact of the testing on local school districts' curriculum design and re-alignment.²³ This report will also contain information regarding any efforts made by the Department of Education to assist local school districts in areas of pupil retention, curriculum adjustment, and remedial programs.²⁴

By September 1, 1990, the Joint Committee on the Public Schools will evaluate and report to the legislature on the status of proficiency testing in New Jersey.²⁵ The report will include, but is not restricted to, the comparison of New Jersey's testing program with other states and the identification of the need for changes in existing statutes.²⁶ This Act appropriates \$95,000 to the Joint Committee on the Public Schools for the purpose of reporting the status of graduation proficiency testing in the state.²⁷ The Committee is granted the authority to use these funds, as well as all other resources to which it has access, to secure the necessary resources to conduct this evaluation and report its findings to the Governor and legislature.²⁸ Beginning in 1991, the Joint Committee on the Public School will conduct an annual evaluation of the report submitted to the legislature by the Commissioner of Education.²⁹

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²⁰ *Id.*

²¹ *Id.*

²² *Id.* § 18A:7C-10.

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.* § 18A:7C-11.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*