



A Guide to the MCAS Performance Appeals Process

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Table of Contents

I. Background

- A. The MCAS Performance Appeals Process
- B. The Massachusetts Competency Determination Requirement
- C. Pathways to Earn a Massachusetts Competency Determination

II. Overview of MCAS Performance Appeals

- A. Eligibility Criteria
- B. MCAS Performance Appeal Formats and Required Evidence
- C. Who is Eligible to File an MCAS Performance Appeal?
- D. Filing MCAS Performance Appeals
 - 1. Filing a **Cohort Appeal**
 - 2. Filing a **Portfolio Appeal**
 - 3. Filing a **Transcript Appeal**
- E. How Are Performance Appeals Evaluated?

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

- A. Cohort Appeals
- B. Portfolio Appeals

IV. Resources

I. Background

A. 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.

In order to earn a CD, students in the class of 2010 and beyond must earn a scaled score of at least 240 on the grade 10 MCAS ELA and mathematics tests, and a scaled score of at least 220 on a high school MCAS STE test in either biology, chemistry, introductory physics, or technology/engineering.

If a student does not earn a score of at least 240 on the grade 10 ELA or mathematics test, an Educational Proficiency Plan (EPP) must be developed for the student. Therefore, students for whom an appeal is submitted should be in the process of fulfilling their EPP in order to earn a CD. A student who has scored at least 220 on the ELA or mathematics test or retest (or who has an MCAS Performance Appeal granted), who fulfills the requirements of an EPP, and who meets all local graduation requirements, will be eligible to earn a CD in that content area. Information on the EPP is available at www.doe.mass.edu/hsreform/epp/ or by contacting Secondary School Services at 781-338-3010.

B. Pathways to Earn a Massachusetts Competency Determination

The primary means by which Massachusetts students earn a CD in each subject is by meeting or exceeding the requisite scaled scores 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 by demonstrating their achievement at the required level of performance through an **MCAS Alternate Assessment** (MCAS-Alt) “competency portfolio,” which includes a collection of work samples. If the student can demonstrate in the portfolio his or her academic knowledge, skills, and achievements at a level that is equivalent to a scaled score of 220 or higher on the high school MCAS tests, he or she will earn a CD.

Students who meet certain eligibility requirements, and who do not perform at the required levels on the MCAS tests or MCAS-Alt, can have an **MCAS Performance Appeal** submitted by their district that, if granted, would allow them to earn a CD.

For more information about Massachusetts high school graduation requirements please visit www.doe.mass.edu/mcas/graduation.html.

C. The MCAS Performance Appeals Process

The Board of Elementary and Secondary Education established the MCAS Performance Appeals process in 2002 to provide students with an opportunity to demonstrate through their coursework 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 English language arts (ELA), mathematics, and one high school science and

technology/engineering (STE) discipline-specific test (either biology, introductory physics, chemistry, or technology/engineering).

If, after three unsuccessful attempts to pass the MCAS tests and retests in ELA or mathematics, or one unsuccessful attempt in high school 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 an MCAS Performance Appeal to the Commissioner of Elementary and Secondary Education on behalf of the student. When granted, a performance appeal entitles the student to earn his or her CD in the subject of the appeal.

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 **English language arts**: The student has taken the grade 10 ELA test/retest at least **3** times (or completed the MCAS-Alt twice at grade 10 or higher).
 - For **mathematics**: The student has taken the grade 10 mathematics test/retest at least **3** times (or completed the MCAS-Alt twice at grade 10 or higher).
 - For **science and technology/engineering**: The student has taken an MCAS high school STE discipline-specific test or completed the MCAS-Alt at least **once**, 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.
Note: For students originally in the classes of 2003–2009 who are still trying to earn a CD in STE, please see the Commissioner’s memorandum available at www.doe.mass.edu/news/news.aspx?id=5586 for information about STE testing requirements.
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.

* 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.

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 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 superintendent or executive director may submit a subsequent appeal on behalf of the student, as long as the student meets the eligibility requirements. Once 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.

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, available at www.doe.mass.edu/mcasappeals/filing/, 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 (i.e., 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 include a completed 2011-2012 [cohort worksheet](#) listing the GPAs and MCAS scores of both the appellant and the students in the cohort.

All students who meet these criteria 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 and must be submitted by **the end of the first week 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 D.

2. Portfolio Appeal

In some cases, it may not be possible to use a student's course grades for the purpose of filing a cohort appeal. For example, there may be fewer than six 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 executive director may submit a portfolio of the student's current and/or cumulative work in the content area of the appeal, according to guidelines

outlined on the Department's website at www.doe.mass.edu/mcasappeals/filing/portfolio/guidelines.html.

Portfolio appeals are reviewed three times each year, in November, May, and July, and notifications regarding decisions are made according to a published timetable available at www.doe.mass.edu/mcasappeals/filing/portfolio/. Additional information on submitting portfolio appeals, is provided in Section D.

3. Transcript Appeal

Students who transfer to a publicly funded Massachusetts high school in mid-March or later during their senior year are not required to meet the eligibility requirements to submit an MCAS Performance Appeal. Instead, transcripts, GPAs, standardized test scores, college acceptance letters, and any other relevant academic evidence must be included with the completed appeal application. The date of transfer to the high school must also be included.

If a student enrolls in the high school for the first time between September and March of his or her senior year, the student must participate at least once in the MCAS retests and February Biology or June high school STE test before an appeal will be considered.

Additional information about submitting transcript appeals is available at www.doe.mass.edu/mcasappeals/educator.html and in the *Frequently Asked Questions about the MCAS Appeals Process* at www.doe.mass.edu/mcasappeals/faq.html. Additional information regarding the submission of transcript appeals is provided in Section D.

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

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, where needed, with a student's home district when submitting appeals.

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.

Additionally, superintendents or executive directors **must** file an appeal for a student with a disability 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).

There are no exemptions or waivers for any student 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 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.

D. Filing MCAS Performance Appeals

All appeals—cohort, portfolio, and transcript—must include a completed 2011-2012 [MCAS Performance Appeal Application](#). Each appeal category has specific additional requirements that must be met, 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.

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, unless the student transferred into the school in grade 12.

The cohort worksheet **must** include:

- State-Assigned Student Identifiers (SASIDs) for the appellant and all students in the cohort.
- Course titles and grade levels 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 high school 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 included at the school's discretion.
 - For an appeal in STE, the course(s) may have been taken in grades 9, 10, or 11. Only one course is required, but the STE course(s) submitted **must** be in the same discipline (biology, introductory physics, chemistry, or technology/engineering) as the MCAS STE test taken by the student.
- 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 unless the student transferred into the school in grade 12.
- 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

The comparison group (cohort) must include **all** students whose MCAS scores in the relevant subject are between 220 and 228. However, if the cohort does not include six or more students who meet these criteria, the district may wish to include students who scored **above 228** in the comparison group. In these cases, a **modified cohort worksheet** must be used for the purpose of extending the MCAS score range above 228, which 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 must be included in the cohort).

2. Filing a Portfolio Appeal

Each portfolio appeal must be accompanied by an [MCAS Performance Appeal Application](#) and must include the components specified for each subject as described 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 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 STE) and must include the components listed in the guidelines for filing portfolio appeals.

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; and
- the date of transfer to the high school

Transcript appeals are reviewed monthly, with the exception of July and August.

E. How Are Performance Appeals Evaluated?

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 student's academic record on the cohort worksheet and make a recommendation to the Commissioner.

Portfolio appeals are reviewed by the MCAS Portfolio Appeals Panel, composed of teams of high school content experts in English language arts, mathematics, and science and technology/engineering. 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 CD.

Each appeal will result in one of the following:

1. appeal granted — the student will earn a CD based on the appeal finding
2. appeal denied — the student will not earn a CD based on the appeal finding
3. no determination — a finding could not be made based on the information submitted with the appeal

Results will be sent to the district, school, or program that submitted the appeal, listing a finding and rationale ([decision](#) code) for each appeal, and providing generic parent letters that must be sent by the district to each parent or guardian of a student for whom an appeal was submitted.

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

A. Cohort Appeals

Within 10 days of the Appeals Board's decision, the Commissioner will notify the superintendent or executive director by mail. 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

Portfolio appeals are reviewed by the Portfolio Review Panel three times each year, in November, May, and July. Results are sent by mail to both principals and superintendents or executive directors about four weeks thereafter.

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

IV. 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.