



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, ME 04333-0023

JANET T. MILLS  
GOVERNOR

PENDER MAKIN  
COMMISSIONER

March 3, 2021

Senator Matthea Daughtry, Co-chair  
Representative Michael Brennan, Co-chair  
Members of the Joint Standing Committee on Education and Cultural Affairs

Dear Senator Daughtry, Representative Brennan, and Members of the Joint Committee,

LD 277, An Act To Discontinue the Use of the SAT in Maine Schools, directs the Commissioner in Section 1 of the bill to establish a statewide assessment program and evaluate the academic achievements of students in grades 3 -12 in relation to accountability standards as indicated in Section 6209. This would apply to all public schools including public charter schools and non-public 60/40 schools. Section 1 of the bill indicates that the assessment program must be adapted to meet the needs of children with disabilities as defined in Section 7001 and cannot utilize the SAT for high school assessment. Section 2 of the bill indicates that the Department shall create an alternative to the SAT that meets all federal requirements and will be released by January 2022.

Over the past two decades, there have been many changes in Maine's assessment system. In 2015, the statewide administration of the SAT was discontinued and all students in public schools, public charter schools, and those attending 60/40 schools through the provision of public funds, grades 3-8 and 3<sup>rd</sup> year of secondary school were required to participate in Smarter Balanced assessment. At the time, many of Maine's 3<sup>rd</sup> year of secondary school students utilized the SAT for college and scholarship applications. As a result, many students elected to not participate in the state's summative assessment (Smarter Balanced) but participate in the SAT. Due to district concerns, the Department provided both the Smarter Balanced assessment and the SAT. As a result, the State of Maine did not meet required participation rates of 95% in the state assessment and therefore received a condition placed on the Title I award from the US Department of Education. In 2016, the SAT was reinstated as Maine's state assessment for students in the 3<sup>rd</sup> year of high school. Participation in the assessment met the 95% threshold as outlined in Every Student Succeeds Act (ESSA). Maine's approved ESSA state plan currently includes the SAT as the statewide summative assessment for students in their 3<sup>rd</sup> year of high school, however this plan is under revision, since the US Department of Education waived assessment and accountability systems in response to the COVID pandemic, creating a break in the student data trend lines.

Noteworthy is the requirement under ESSA (Section 1111(b)(2)), which requires states to assess all students in grades 3-8 and once in secondary school in Mathematics and English Language Arts annually. Maine has determined students in their 3<sup>rd</sup> year of secondary school will participate in the summative assessment. Students must also participate in science once in each

grade span – grades 3-5, 6-8 and 9-12. All states must also provide accommodations within these assessments to ensure student needs, as outlined in student 504 Plans or IEPs are met; receiving special education services does not automatically qualify a student to participate in the alternate assessment. The alternate assessment is designed to meet the needs of students with the most significant cognitive disabilities. Alternate assessment participation is not to exceed only 1% of the student population.

As a result of the COVID-19 pandemic and the Department’s commitment to supporting educators and their need for immediate and actionable data to inform instructional decision making, the Department discontinued the use of SAT for 3<sup>rd</sup> year of HS – Mathematics & English Language Arts assessments for school year 2020-2021. The Department is currently in contract negotiations with a new assessment vendor for the administration of a 2020 – 2021 school year assessment. Additionally, recognizing that academic content areas are not 100% independent of each other and not utilized in silos, the Department has embarked on a [revolutionary redesign of assessment](#). This will afford Maine the opportunity to utilize authentic teaching, learning, and assessment in a real-world context, reducing the amount of time students spend engaging in assessments that are extraneous to classroom instruction. Educators continue to assess students using locally selected assessments to inform student level instructional decision making in the classroom.

The Department recommends revising bill language that addresses a specific assessment and replacing it with language that would require the Department to implement an assessment system that does not contain implicit bias and further disparities within Maine’s student populations.

I look forward to continued conversations around LD 277 and will be happy to answer any questions.

Sincerely,

DocuSigned by:  
  
Janette Kirk

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Chief of the Office of Learning Systems

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