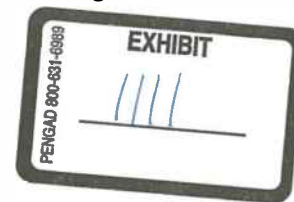


# EXHIBIT PP

Case No. 1:14-cv-00857-TSC-DAR



AMERICAN  
PSYCHOLOGICAL  
ASSOCIATION

April 13, 2000

Ms. Jill Morningstar, Legislative Assistant  
U.S. Senator Paul Wellstone  
136 Hart Senate Office Building  
Washington, DC 20510

Dear Jill:

We promised you a list of suggested wording changes to the Fairness and Accuracy in Testing bill, and those suggestions are enclosed. As you can see, there are brief explanations for each suggestion:

We very much appreciate your taking the time to seek input from APA, even though this association is not in a position to endorse the legislation. We want you to know that on this and other issues we will always do our best to provide technical information and advice. A decision to endorse any particular bill is a separate question. In this case, as we have explained, APA has not yet adopted policy recommendations that go beyond *The Standards for Educational and Psychological Testing* to address issues of how high stakes decision-making in schools affects education and educational outcomes more broadly. In the event that you begin work on another piece of legislation on this issue, we can suggest experts who are familiar with the revised *Standards* who would be helpful advisers.

We are seeking input from our expert committees now on the research and evaluation amendment that Senator Wellstone plans to offer. We will deliver specific recommendations to Terry Woodin by late today or early tomorrow.

Both of us will be out of town during the week of April 17. If you have questions or need clarification about an issue, please call Lara Frumkin at (202) 336-6000.

Sincerely,

*Patricia Kobor*

Patricia Kobor  
Director of Science Policy

*Ellen Garrison*

Ellen Garrison, Ph.D.  
Director of Public Interest Policy

Enclosure

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### **Suggested Changes to the “Fairness and Accuracy in Student Testing Act”**

- Page 1, given the focus of the bill on high-stakes decisions, it would be more appropriately entitled the “Fairness and Accuracy in High-Stakes Educational Decisions Act.” (The title and lines 3 and 4 would be changed accordingly.)
- Page 2, line 6, delete the words “or determinative” in the phrase, “The serious and often adverse consequences resulting from the sole *or determinative* reliance on large-scale tests...” While tests may play a substantial role in a high stakes decision, they should not be the sole criterion employed.
- Page 4, line 10, substitute “high-stakes” for “significant” in the sentence describing decisions about young children, to be consistent with phrasing in the National Academy of Sciences report recommendation.
- Page 6, line 13, the term “large-scale assessment” should be substituted for “standardized test” to be consistent with the scope of the legislation.
- Page 7, line 9, substitute “such as” for “including” to not imply a prescriptive list in referring to “grades and evaluations by teachers...” as multiple measures of student achievement.
- Page 7, lines 11-12, consistent with above, we recommend that the phrase “nor assigned determinative weight” be deleted in reference to scores from large-scale assessments.
- Page 8, we recommend eliminating lines 7 through 19, and bridging the remaining sections as follows “limited English proficiency, with such students assessed, to the greatest extent practicable...” Page 9 would then continue on without the “(C)” heading, with “In the case...” The criterion of three years of academic instruction in English as an indicator of language proficiency has not been adequately established.
- Page 9, lines 8-10, would be deleted, since special education assessment is individualized rather than achieved through large-scale assessments.
- Page 9, line 15, replace “standardized test” with “large-scale assessment.”
- Page 9, line 18, delete “test’s” and insert, “use of the test and other sources of information (such as grades and teacher recommendations)” to allow for a full evaluation of the criteria for high-stakes decisions.
- Page 10, line 6, replace “large-scale assessment” with “standardized test.”
- Page 10, line 10, after “shall conduct a comprehensive evaluation of the impact of the...” insert “of the use of the test and other sources of information (such as grades and teacher recommendations).”
- Page 11, line 7 and 8, replace “standardized test” with “large-scale assessment.”