

## **I. Victories: What has been won?**

NCLB and Race to the Top launched a testing arms race. Some states and many districts sought to boost scores on state exams by testing their own students more frequently, from a few times a year to weekly or more. (These are called benchmark, periodic, interim, predictive and formative tests.) Coupled with federally mandated state exams, they became time sinks: A survey of Colorado educators found that tests and test prep took up a quarter of teaching time ([CEA, 2014](#)).

ESSA continues NCLB's mandate to test reading and math in grades 3-8 and once in high school, along with three grades of science tests. Fortunately, however, some districts have not piled on the tests. For example, Milwaukee only requires what the state and federal governments impose. Thus, according to Milwaukee Teachers' Education Association president Amy Mizialko, the union has focused on linking existing testing to educational damage and to supporting the opt out movement. Unfortunately, in districts across the nation, urban, rural and suburban, additional testing is common.

Most teachers say these tests are not worth the time spent on them.<sup>1</sup> As a result, the tests have become the target of state and local actions, often driven by teachers and their unions with the support of parents and students. These efforts have won state and district reductions in the number of tests, the length of the tests, or the amount of time allotted for testing.

Part I summarizes the victories, then turns to overall lessons learned from these testing reform fights. Case studies, found in Part III, delve into the details of how activists won the changes. The examples include Maryland, San Diego, Sacramento, St. Paul, Santa Fe, Las Cruces, Knox County TN, and Jefferson County (Louisville) KY. Most of these districts include many African American and Latino students; all have large percentages of low income children. This is important since defenders of testing often claim that more testing is good for these students – but educators, parents and the students themselves disagree and have fought hard to diminish the role of standardized tests in their schools.

Test resistance wins fall into these major categories:

- Ending or cutting the amount of state or district testing;
- Eliminating high school graduation exams;
- Expanding the right to opt out;
- Implementing performance assessment; and
- Ending or reducing the use of student scores to judge teachers.

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<sup>1</sup> Gallup. 2014. "[Teachers Favor Common Core Standards, Not the Testing.](#)"

National Education Association. 2014. "[NEA Survey: Nearly Half of Teachers Consider Leaving Profession Due to Standardized Testing.](#)"

### **A. Cutting tests and capping time spent on testing.**

Here are some examples from a growing list of victories in reducing tests and testing time from around the nation:

- Under pressure from states, the makers of the [PARCC test reduced testing time by 90 minutes](#). Still, the excessive length of both PARCC and the Smarter Balanced exams has contributed to a decline from 40 to 21 states using either test, with only six using PARCC to fulfill federal testing requirements (as of 2016-17).
- The **Maryland** State Education Association (MSEA), led a campaign to win a 2.2% [cap on the amount of time spent on testing](#). The victory included creation of district assessment committees to recommend how to reduce or eliminate redundant or unnecessary tests. (See case study.) **New York** has a more stringent cap on combined testing and test preparation time of 2% (won in 2014). Maryland also stopped testing every kindergartener and instead tests only a sample. New York bars standardized testing not used for individual diagnostics in grades K-2.
- The **San Diego** Education Association (SDEA) organized teachers, reached out to the community, held rallies, and prevailed upon the school board to end district-mandated testing. Teachers now control in-school assessment; some are moving toward performance assessments. (See case study.)
- After more than two years of organized activism, **Santa Fe, NM**, won a suspension of district-mandated testing. The victory was based on actions by the local union, thousands of students and teachers, and support from a new superintendent who approved testing cutbacks. (See case study.)
- In **Las Cruces, NM**, a movement of teachers, parents, students and other allies won school board elections that led to a new superintendent who has implemented a moratorium on district-mandated testing. (See case study.)
- **Sacramento, CA**, educators used collective bargaining to revamp how district assessments are determined. They won a contract saying that, beyond state and federal mandated assessments, the district will not be able to unilaterally impose testing but must go through a binding dispute resolution process. (See case study.)
- **St. Paul, MN**, teachers waged a multifaceted, multiyear campaign that engaged the broader community and resulted in, among other things, a commitment to reducing time lost to testing by 25% and elimination of benchmark literacy testing for elementary students. (See case study.)
- In **Louisville, KY**, the teachers union used the district's strategic planning process to win a testing reduction of about 35%. The focus now is on gaining further cuts in testing and adopting teacher-controlled, multidisciplinary performance assessments tied to "deeper learning." (See case study.)

## FairTest Report: Test Reform Victories Surge in 2017: What's Behind the Winning Strategies?



Jefferson County, KY, teachers rally.

- The **Knox County, TN**, teachers union led a series of election victories producing a strong testing reform school board, which brought in a new superintendent. The district has eliminated its own mandated testing and passed a resolution calling on the state to stop using student test scores in teacher evaluations. (See case study.)

- In **Florida**, [Clay County suspended all county-mandated tests](#) in January 2017 to give students and teachers more learning time. And [Hillsborough County moved to eliminate duplicate high school testing](#). A state law limiting standardized testing to 5% of a student's total school hours led to the decision to eliminate district exams that test similar material to Advanced Placement and International Baccalaureate tests, affecting more than 12 courses.

- **New Mexico** passed a law, effective in 2016-17, [eliminating the requirement that ninth and 10<sup>th</sup> graders take at least three periodic assessments each year](#) in reading, English

and math. The bill's sponsor, Rep. G. Andres Romero of Albuquerque, a history teacher, said the aim was to respond to fellow educators' demands to free up time for teaching. Only one legislator voted against the bill. New Mexico students must still take PARCC exams, but beginning in 2018, [PARCC testing times in grades three and 6-8 will be reduced by 30-40 minutes per year](#). This cut comes on top of PARCC's own 90-minute reduction. It represents a response to pressure from educators, parents and students. Teachers, however, say too much time is still wasted in test preparation.

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- In 2016, the public schools of **Vancouver, WA**, [cut 105 district-required assessments](#). The focus was on tests that were duplicative or not providing useful information for instruction. The move resulted in up to 15 hours of additional instructional time per year in each of grades 3 to 8.
- The **Chicago Teachers Union** won a clause in their contract allowing teachers in a school to remove tests not mandated by the federal or state governments or the district.
- In other state actions, the **West Virginia** Board of Education [eliminated statewide English language arts and mathematics assessments in grades 9 and 10](#), beginning in spring 2017. High school students are now tested only in grade 11. **Hawaii** responded to pressure from educators by [excising three end-of-course tests and a mandate to use ACT tests in grades 9 and 10](#). **Oklahoma** and **Ohio** cut history exams, with [Oklahoma dropping its high school exam](#) for at least the 2017-18 school year and **Ohio** ending the tests in [grades 4 and 6](#). **South Carolina** [reduced by half the amount of science and social studies testing](#) in grades 4-8, deciding to give each test every other year rather than administer both every year. And **Texas** extended its Individual Graduation Committees (IGCs), which [can authorize diplomas to students who pass only three or four of the state's five exit exams for two additional years](#). Efforts to make the IGC process permanent were blocked in the Texas Senate. Efforts to reduce the number and high stakes associated with the state tests were stymied as well.

### **B. States turn away from graduation exams**

For tens of thousands of students who don't drop out but stay in school and complete their other high school graduation requirements, [exit exams unjustly confer the status and diminished opportunities of high school dropouts](#). The National Research Council of the National Academy of Sciences concluded that graduation tests have done nothing to lift student achievement but have raised the dropout rate. Since 2012, the number of states that had or planned to have standardized high school exit exams has plunged from 25 to 13.<sup>2</sup> Before NCLB, 16 states had graduation exams, but in the testing mania that followed, more states added them. Thirteen is the lowest number since at least the 1990s, a positive trend that will hopefully continue.

The reasons for the trend are varied, but in addition to states with a public campaign against exit exams, the rising discontent with standardized testing has likely influenced policymakers. FairTest talked with key people in a few states to dig into why the states dropped their exit exam requirements.

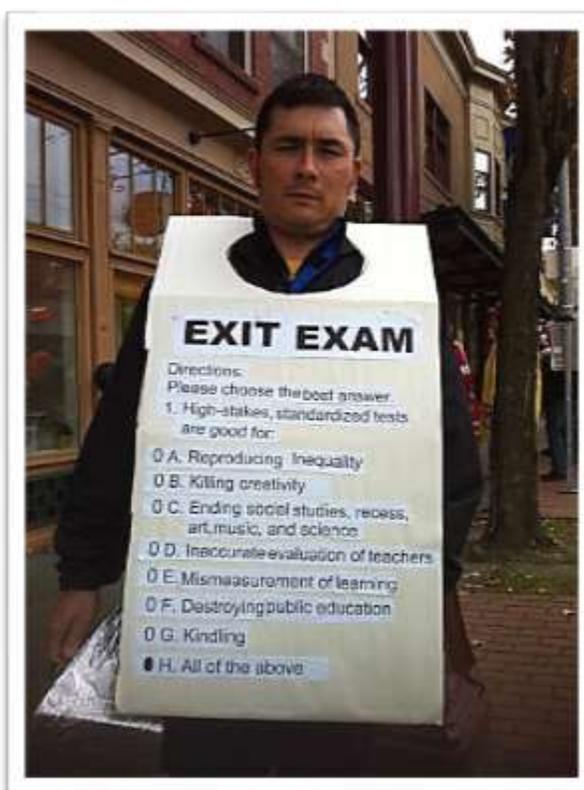
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<sup>2</sup> This does not include a recent requirement in 8 states to pass a civics exam. Reports from proponents of the test claim almost everyone passes; see "[Graduation Test Update: States That Recently Eliminated or Scaled Back High School Exit Exams](#)".

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This report first summarizes recent developments, then in “Graduation Test Lessons” looks at two cases of states that dropped graduation exams.

- **Idaho** [scrapped its high school exit exam](#) in February 2017, after votes by the state board of education and the legislature. To graduate, [Idaho students](#) now must acquire a minimum number of credits in core subjects, submit a written and oral senior presentation and take a college entrance exam. State Board of Education member Blake Youde said those should be sufficient to demonstrate a student’s readiness. “When you look at that plethora of requirements and then having another requirement that they take a test and have a minimum score that they need to graduate, there was concern among the board that maybe that was an overly weighted factor for graduation,” Youde said.
- **Washington** delayed its biology graduation test requirement until 2021. After more than a decade of pressure and protest by parents, educators and the teachers union, [the legislature debated abolishing all graduation exams, but in June approved a “compromise” instead.](#) (An estimated 3,000 students were at risk of being blocked from graduating this year by the biology exam alone.) Starting in 2019, high school students will have to pass language arts and math exams as sophomores. The new law also “allows school districts to come up with alternative ways for students to demonstrate proficiency” in math and English. Exit exam opponents plan to continue fighting to eliminate these exams.
- **Texas extended by two years, until 2019, a provision allowing students to graduate [even if they did not pass two of the five state exit exams](#),** known as STAAR tests. The provision was first implemented in 2015 after passage of SB 149. “There’s nothing magical about a STAAR test,” said Republican Senator Kel Seliger, SB 149’s sponsor. “None of the folks in NASA took a STAAR test, and yet they muddled their way to the moon.” Texas had reduced a list of 15 planned graduation exams to just five in 2013.
- **Pennsylvania** [exempted vocational students from having to pass the state’s three Keystone graduation exams.](#) A law passed in June gives these students several alternatives to passing the tests. The options include obtaining an industry-based



Wayne Au at a Seattle, Washington, demonstration.  
Photo Credit: Education Not Incarceration

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competency certification, demonstrating ability to succeed on an industry-based competency test or readiness for "continued meaningful engagement" in their program of study. [The state's Keystone exit exam requirement will not take effect for any students until 2020, and pending legislation could halt the test completely.](#) Under a bill sponsored by Senator Andrew Dinniman, minority chairman of the Senate Education Committee, local districts would determine high school graduation requirements, but they would not be able to use one test or a series of tests to make that determination. "It's to end high-stakes testing, because there are many bright students who do well in courses but simply can't take tests," Dinniman said.

- The **Rhode Island** Council on Elementary and Secondary Education in October 2016 [changed the state's high school graduation requirements](#). Eighth graders who would graduate in 2021 will no longer be required to pass standardized tests for graduation, although students are still required to take the tests. Rather than pass the tests, students will produce a senior project, exhibition or portfolio that meets the state's standards of proficiency. "Our new diploma system provides a menu of options for students, recognizing that one size does not fit all," said Ken Wagner, commissioner of Elementary and Secondary Education. The Providence Student Union had led a successful [campaign for a moratorium on graduation exams](#); this cements the victory.

In addition, [at least seven states have made their elimination of graduation testing retroactive](#) so that students who had successfully completed all other graduation requirements were able to finally obtain the diplomas they had rightfully earned. Tens of thousands of students who failed exits exams in Georgia, South Carolina, California, Alaska, Arizona, Texas and Nevada [have become eligible to apply for their diplomas](#). [More than 17,000 students received retroactive diplomas](#) in Georgia alone. Unfortunately, many students who dropped out of school at least in part because of the tests face life without diplomas, and states are not compensating non-graduates for not being able to attend college or the unemployment or lower wages so many suffer.

### **C. Opting out**

**The right to opt out** expanded from 8 to 10 states with the addition of Idaho and North Dakota in 2017. (Georgia Governor Deal vetoed an opt-out bill.) This right is being undermined by a U.S. Department of Education demand that students who refuse testing be given a score of zero on ESSA-mandated exams. Those zeroes must be included in the reports on schools. However, some states are considering options that would prevent schools from being included in the list of those deemed "in need of additional support or interventions" under ESSA, just on the basis of low participation rates. New York State Allies for Public Education (NYSAPE) pointed out that including schools with high refusal rates could lead to wealthy districts with high opt out rates getting money needed

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by low income districts. Unfortunately, most states' ratings include the zero scores of non-participants or drop the ranking by a level if the test participation rate falls below 95% — or both. These states are unfairly punishing schools for decisions made by parents as well as students.

**The opt out movement expanded in some states.** In New York, by far the most prominent site of opting out, the [number of refusers remained at 20%](#), despite a great deal of pressure on parents. In other states, the opt out rate increased, such as nearly [doubling in two years in Utah](#) and [trending upward in Minnesota](#) high schools. Perhaps because these refusals have now been highly visible for several years, they are attracting less media attention.

### **D. Implementing performance assessments**

**New Hampshire**, under a waiver from NCLB, began to [build a statewide system of local performance assessments](#). The state aims to make it statewide under ESSA, in which case all districts will use traditional standardized tests only once in elementary, middle and high school. In the 2017-18 school year, about one quarter of districts are full participants in the pilot and another quarter are in the pipeline to become full participants. Initial [evidence showed the data is comparable across schools and that it is benefiting students with disabilities](#).

If states back off punitive accountability, it will be [easier for districts to implement performance assessments and other positive alternatives](#). Some local unions and their allies have advocated for improved assessments as they seek to cut back standardized testing. They aim to restore teacher control and improve assessment quality, as discussed in the case studies included in this report. Jefferson County, KY, is the clearest example of this effort, which the union is conducting jointly with the district.

*Edutopia*, ASCD, *Education Week*, and other sources feature a steady flow of stories about performance assessment and project-based learning. They reveal an increasing interest among teachers and others in these forms of assessment. [One recent example](#) focuses on a performance assessment experiment in New Haven, CT.

**The New York Performance Standards Consortium** has expanded significantly in recent years as member schools have demonstrated stellar outcomes with performance-based assessment tasks coupled with a waiver from four of the five state graduation exams. [Evidence shows](#) these high schools demographically reflect New York City but have higher graduation rates for all student groups, higher college enrollment rates, and superior rates of persistence in college when compared with City schools as a whole.

### **E. Gains in teacher evaluation**

Progress has been made in reducing damaging policies of using student test scores to judge teachers. Education Week reported [six states](#) have dropped this requirement: Alaska, Arkansas, Kansas, Kentucky, North Carolina and Oklahoma. Pushed by the Connecticut Education Association, the state says [they can be used but not in the “summative rating” for an educator](#). Other states, such as New Mexico, [reduced the weight given to student scores](#).

### **F. Much remains to be done**

Many states and districts continue to mandate tests in excess – sometimes far in excess – of federal requirements. Thirteen states still use graduation exams. Some states and districts use grade promotion testing. Most states still include student test scores in teacher evaluation, though it is not required by the federal government and research has found the practice is [unreliable and invalid](#). Finally, most states’ ESSA plans still place more emphasis than necessary on test scores, and many maintain the NCLB-era punitive accountability approach.

In addition, too few states and districts are implementing high-quality performance assessments even though [ESSA allows them to build new systems that can rely on teacher-designed, local assessments](#). If more states took advantage of changed federal requirements, districts would feel less pressure to boost test scores and could be more willing to end interim tests and support classroom-based, teacher-led performance assessing.



Jefferson County, KY teachers rally in the rain.

Most importantly, activists need to increase visible opposition to the overuse and misuse of standardized tests and turn this opposition into policy victories in legislatures and school boards. This will require electoral battles as well as pressuring current officeholders. The 2018 elections, now a year away, provide an important opportunity.

***FairTest wants to hear about other successful reform campaigns.*** What was won, how, and what remains to do? Tell us about your efforts, successes and challenges (email attachments to [fairtest@fairtest.org](mailto:fairtest@fairtest.org)). As we learn more, we will update this report.