What State Legislators Can Do to Advance Assessment Reform

Across the nation, resistance to test overuse and misuse reached unprecedented levels in spring 2014. The rapidly growing movement built on significant test opposition unleashed in 2013. This year, resistance erupted in more states with far more participants, and it won notable victories.

The first wave of tangible “wins” included many significant steps forward. In the past two years:
- seven states dropped, reduced or delayed graduation tests - Minnesota, South Carolina, Alaska, Nevada, Arizona, Texas and Rhode Island;
- Oklahoma, North Carolina and New York City ended, softened or blocked proposals for grade retention tests, while Virginia reduced its mandated tests;
- Oregon, Colorado, Nevada, Washington, DC, and New Jersey implemented moratoria on the use of student tests to judge teachers and sometimes to judge schools; and
- candidates for public office began winning elections on platforms calling for test reduction.

Reflecting these gains, public opinion polls, such as the 2014 Gallup survey for *Phi Delta Kappan* magazine, show that a majority of Americans agree that standardized tests do not help improve learning and teaching. Now is the time to turn the movement into concrete, educationally beneficial laws.

**What State Legislators Can Do**

1) Reduce the amount of state-mandated standardized testing, for example, to no more than the federal government requires, or better, to only once every few years (challenging federal law). Also put limits on district testing, directly on the number of tests or indirectly by limiting testing time.

2) End the use of student test scores to determine grade promotion and graduation.

3) Prohibit the use of student state test scores in evaluating educators. This may conflict with federal “No Child Left Behind” waivers, but states would be better off without the waivers.

4) Call on the U.S. Congress to change federal law to limit testing to once each in grades 3-5, 6-9 and 10-12; replace test-based sanctions with support for locally-determined improvement efforts; and stop the use of student test scores to evaluate educators.

5) Allow parents to opt their children out of testing, also ensuring schools and educators are held harmless from test-based accountability requirements for any students who opt out. Require districts to provide alternative education settings for children who opt out of standardized exams and impose
no penalties on parents or children for refusing to test. Allow teachers to openly discuss testing, test consequences and parent rights.

6) Replace standardized testing with teacher-led, school-based educationally beneficial assessments. Couple that with reporting of useful data on key aspects of schooling, such as financial equity and needs, school climate and discipline, and certified teachers, and assistance to strengthen schools in need of help.

7) Enact “Truth in Testing” legislation that makes test items public; releases all technical reports; discloses testing costs, including personnel costs and test preparation time; and requires a study and survey on the amount of time spent on testing and test preparation.

8) Ban K-2 large-scale standardized testing, including district-mandated tests.

9) Allow students with disabilities all testing accommodations included in their Individual Education Plans (IEP) and ensure native language assessment for English language learners for up to five years.

Legislators will likely hear from the rapidly growing assessment reform movement. To better understand the nature of this movement and why it has expanded so quickly, FairTest has produced reports on movement victories and how activists have expanded their campaigns (see the references). We have also produced many fact sheets to help legislators and advocates advance the testing reform agenda (see the references).

**References**


FairTest provides a weekly compilation of links to testing resistance stories at [http://www.fairtest.org/weekly-news-signup](http://www.fairtest.org/weekly-news-signup)

PDK/Gallup poll at [http://pdkintl.org/programs-resources/poll/](http://pdkintl.org/programs-resources/poll/)

FairTest fact sheets are at [http://www.fairtest.org/fact%20sheets](http://www.fairtest.org/fact%20sheets). Among them, see statements on Common Core testing, teacher evaluation, what’s wrong with standardized tests, how they damage education, the need for a comprehensive moratorium, and several on better ways to assess students and evaluate schools. Many contain references to research studies and major reports.