

# FairTest

National Center for Fair & Open Testing

## What State Legislators Can Do to Advance Assessment Reform

Across the nation, resistance to test overuse and misuse reached unprecedented levels in spring 2015. The rapidly growing movement built on significant test opposition unleashed in 2013-14. The resistance to standardized exam overkill erupted in more states with far more participants, and it won notable victories.

The first wave of “wins” included:

- the number of states with graduation tests dropped from 26 to 13;
- states, including Florida, Oklahoma, New York and North Carolina, started to reverse the use of mandated grade promotion tests;
- several states implemented moratoria on the use of student tests to judge teachers and schools or reduced the weight given to test scores; and
- candidates for public office have won elections on platforms calling for test reduction.

Public opinion polls, such as the 2015 and 2017 Ssurveys for *Phi Delta Kappan* magazine, show that a majority of Americans agree: standardized tests do not improve learning and teaching.

The replacement for No Child Left Behind, the Every Student Succeeds Act (ESSA), creates additional opportunities for states and districts to overhaul assessment and accountability.

### *What State Legislators Can Do*

- 1) **Overhaul state accountability programs in line with what ESSA allows:** Reduce tests’ weight to 51% of school rankings. Add a “dashboard” of educationally important factors (e.g., financial equity and adequacy, school climate and discipline, certified teachers). Use multiple indicators to identify schools in need, then provide them with resources and assistance to improve.
- 2) **Reduce the amount of state-mandated standardized testing** to no more than the 17 exams the federal government requires. Limit district testing by capping the number of state and district exams or the time devoted to testing to one percent of the school year (including test prep).
- 3) **Bar the use of student test scores to determine grade promotion and graduation.**
- 4) **Prohibit the use of student state test scores in evaluating educators,** as ESSA allows.

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5) **Authorize parents to opt their children out of state and district standardized tests**, as ESSA allows. Ensure schools, educators and parents are held harmless for students who refuse the tests. Require districts to provide alternative education settings for children who opt out. Protect the rights of teachers to discuss testing, test consequences and parent rights openly.

6) **Apply for the ESSA’s “innovative assessment” program.** Build a new state system by replacing standardized testing with teacher-led, school-based educationally beneficial performance assessments. Do not turn to “curriculum-embedded,” online curriculum-plus-testing packages.

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. Use authorized federal funds to conduct a comprehensive audit and evaluation of state and district testing.

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 who promote such proposals can expect support from the rapidly growing grassroots movement, whose victories are described in a FairTest report. We have also produced many fact sheets that can help legislators better understand testing issues and advance assessment reform.

### ***References***

*Testing Reform Victories*, FairTest, <http://www.fairtest.org/testing-reform-victories-2015-report>

Oregon opt-out law: <https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB2655#>

FairTest provides a weekly compilation of links to assessment reform stories at <http://www.fairtest.org/weekly-news-signup>

PDK/Gallup poll on public opinion about testing at <http://pdkpoll2015.pdkintl.org/>

FairTest fact sheets are at <http://www.fairtest.org/fact%20sheets>.