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# Teachers' Unions Fight Standardized Testing, and Find Diverse Allies



Protesters at the Capitol criticize Gov. Andrew M. Cuomo's desire to tie school funds to proposed changes in teacher evaluations.

MIKE GROLL / ASSOCIATED PRESS

By KATE TAYLOR and MOTOKO RICH

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In Florida, the teachers' union has lobbied to limit the use of standardized tests, and the governor last week signed a bill that limits the number of hours students can spend taking them.

The union in New Jersey financed an advertising campaign in which a grim-faced father talks about his son crying because of tests.

And in New York, where local unions have worked closely with parent groups that oppose testing, the president of the state union went so far as to urge parents to opt out of the annual tests, which began last week.

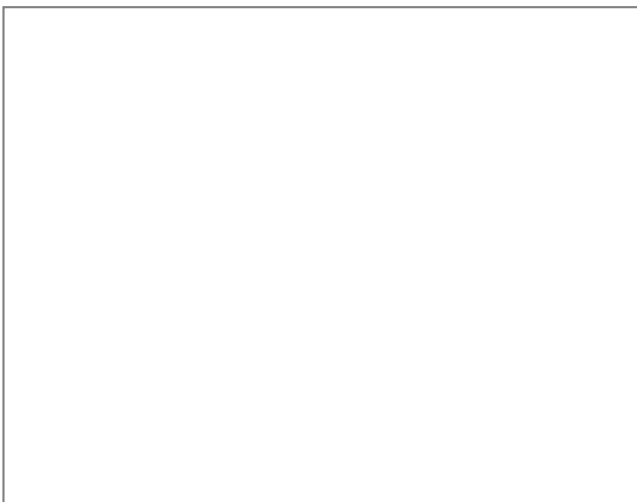
After several years in which teachers' unions have been hammered on the issue of tenure, have lost collective bargaining rights in some states and have seen their evaluations increasingly tied to student scores, they have begun, with some success, to reassert themselves using a bread-and-butter issue: the annual tests given to elementary and middle school students in every state.



Karen E. Magee, president of New York State United Teachers, has urged parents to opt out of annual testing for their children.

NATHANIEL BROOKS FOR THE NEW YORK TIMES

The teachers' push on testing comes as Congress is debating how to revise the 2001 No Child Left Behind law, which requires that schools demonstrate annual progress on test scores and prescribed measures for schools deemed failing, from mandatory tutoring to closing. Lawmakers are considering a bill that removes the most punitive consequences for schools and makes clear that states do not have to use test scores to evaluate teachers.



Critics of the campaigns against testing, including many state and local education officials, say the unions are not acting out of concern for children but are trying to undercut efforts to institute tougher evaluations. They argue that annual testing is critical for tracking how effectively schools are educating poor and minority students and that evaluations based only on subjective criteria like observations typically fail to identify weak teachers.

“It’s right at the point when we finally actually have the kind of improved tests that so many folks petitioned for and advocated for for years,” said Jonah Edelman, the chief executive of Stand for Children, an advocacy group that supports charter schools and teacher evaluations that incorporate test scores. Mr. Edelman said that the organization supports legislation to reduce unnecessary testing, but “encouraging parents to opt out is not an effort to reduce overtesting.”

“It’s an effort to undermine accountability,” he added.



In an ad paid for by the New Jersey Education Association, a father talks about his son crying because of tests.

The amount of time students spend preparing for and taking standardized tests has been a political issue for years. It has become particularly acute as states have switched to more difficult tests designed to align with the Common Core, academic standards adopted by more than 40 states and spurred in part by the federal government.

Nelson Lichtenstein, a labor historian at the University of California, Santa Barbara, said the unions’ strategy on testing follows years in which they have been under assault, by conservative leaders and by the bipartisan education-reform movement that has painted

unions as a central obstacle to improving schools.

Scott Walker, the Wisconsin governor and possible presidential candidate, stoked national attention when he stripped collective-bargaining rights from most public-sector unions, including teachers.

But testing, Mr. Lichtenstein said, offers unions a way to join forces both with parents who object to testing and with Republicans who oppose the Common Core standards as a federalization of education.

“It is a powerful issue, by virtue of the fact that the right is also against it,” he said.

Secky Fascione, director of organizing for the National Education Association, the largest nationwide teachers' union, said reining in testing was the union's top organizing priority. In the past month, Ms. Fascione said, chapters in 27 states have organized against testing, including holding rallies; petition drives; showings of “Standardized,” a documentary critical of testing; and sessions telling parents they have a right to keep their children from taking tests, as tens of thousands of parents around the country have done.

“Does it give us a platform?” said Karen E. Magee, the president of New York State United Teachers. “Absolutely.”

Her union began agitating more vocally against testing after Gov. Andrew M. Cuomo, denouncing an evaluation system in which 96 percent of teachers received good ratings, proposed increasing the weight of test scores in teacher evaluations. The union argued that it was not fair to make test scores so big a part of a teacher's rating because many factors outside the classroom can influence scores.

Although the State Legislature ultimately settled on a compromise, the union seemed to win the public relations battle. Polls found that more voters sided with the union on education policies than with Mr. Cuomo.

Ms. Magee urged parents to opt out of the tests to subvert the rating system, though state education officials said districts would have to come up with alternative methods of evaluating teachers who did not have enough test scores.

The union followed up with automated calls to its members, encouraging those with children in the grades that take the tests, third through eighth, to keep their children out of the exams.

Although official numbers have not yet been released, it is likely that many more parents in New York State are keeping their children out of the tests than did last year, particularly in wealthy suburbs and neighborhoods of New York City. One advocacy group estimated, based on news and parent reports and information from local officials, that more than 150,000 students, or more than 15 percent of the testing grades, sat out the English exams last week. The math exams are being given this week.

Some education officials have tried to discourage teachers who have advocated for opting out. In Rochester, a district official asked principals to identify teachers who had sent emails or made phone calls to parents encouraging them to opt out, or who “you have evidence as utilizing their classrooms as ‘political soapboxes.’” The Florida education commissioner warned that “certain willful opt-out behaviors may warrant disciplinary action” against teachers.

Around the country, individual union leaders are approaching the issue with varying levels of fervor. Lily Eskelsen Garcia, president of the National Education Association, and Randi Weingarten, president of the other major teachers’ group, the American Federation of Teachers, say they support parents’ right to opt their children out of the tests but have not gone as far as Ms. Magee and some local chapters in encouraging parents to do so.

In Kentucky, where the education commissioner has said parents do not have the right to opt their children out of tests, the state union is not pushing back. “We have to have an assessment of standards,” said Stephanie Winkler, president of the Kentucky Education Association. She added that parents could not “pick and choose” which parts of public education they wanted their children to participate in.

But union leaders have faced pressure within their ranks to take a harder line. A national group of teachers claiming more than 50,000 members has criticized both of the main unions for supporting the Common Core and is pushing for the abandonment of all standardized tests.

Before a meeting last week of the New York City teachers’ union, the United Federation of Teachers, members of New Action, a caucus within the union, handed out a pamphlet that encouraged teachers to “stand in solidarity with parents who want to opt their children out of this needless overtesting.” But the union’s president, Michael Mulgrew, warned

members to leave the decision to parents and not to talk them into refusing the tests.

At a time of ambivalence about teachers' unions, the anti-testing agenda has "taken the heat off of them," said Jeffrey M. Stonecash, professor emeritus of political science at Syracuse University. He warned, however, that unions should be careful to control their message about testing and its connection to measuring success.

"The teachers' unions are in a terrible situation," he said, "because on the one hand they want to argue that expectations are too high. But the question that lurks behind that is, 'So you mean teachers don't have any impact on students?'"

John Surico contributed reporting.