

Education Week's blogs > Top Performers

## Civil Rights and Testing: Response to Haycock and Edelman

By [Marc Tucker](#) on June 10, 2015 11:00 AM

Two weeks ago, I published a blog post [suggesting that some leaders of the civil rights community might want to reassess their support for annual testing](#) in the reauthorization of the Elementary and Secondary Education Act. Since then [Kati Haycock](#) and [Jonah Edelman](#), two ardent supporters of annual testing, have taken issue with me. In this blog post, I respond to their comments.

Haycock says that she is astonished at my arrogance in attacking the leaders of a civil rights community that is "unified" on this issue and accuses me of "baiting" them. What she does not do is rebut any of the arguments I made or offer any evidence that would call my arguments into question.

The civil rights community is not united on these issues. A recent piece by Judith Browne Dianis, John H. Jackson and Pedro Noguera is titled ["DC civil rights organizations fail to represent education civil rights agenda."](#) In it the authors, all respected figures in the civil rights community, take issue with the civil rights leaders who signed on to annual testing and take positions on the issue very similar to those I have taken. They are not alone. Far from being unified on this issue, the civil rights community is rather divided.

I have great respect for the leaders of the civil rights community. But I often disagree with people I admire and they often disagree with me on particular issues. The charge that I was out to "bait" the leaders is outrageous.

Haycock is certainly entitled to her own views on these issues. But I think she owes her readers more than a personal attack on me as a response to what I have written. She owes it to them to respond to the points I have made with counterarguments of her own, point by point, and she owes them solid data and research to support the positions she takes. I argued that there is no evidence that the tough accountability measures contained in NCLB, including annual testing, have worked. I argued that the research shows that poor and minority children have been harmed by the systems required by NCLB more than majority students. I argued that a different testing regime with fewer, higher quality tests could provide data on the performance of specific groups of poor and minority students every bit as effective as the results obtained from annual testing, and that poor and minority students would be much better off if that happened. I offered solid evidence for all these propositions.

As I said above, Haycock offered neither rebuttals to my arguments nor evidence that would refute them. Until she does, I stand by what I wrote.

Unlike Haycock, Jonah Edelman does address at least some of the points I made. But his first point is a non sequitur. "In arguing against the need for annual assessments," he says, I "...seem to forget America's long and sorry history of neglecting kids at risk." That is not an argument. Edelman evidently takes it as obvious that, if you care about kids at risk, you should be for annual testing. But the second half of this proposition does not follow from the first. My whole blog post made the case that, if you care about kids at risk, you should be against annual testing. I am against annual testing *precisely because* I care about kids at risk.

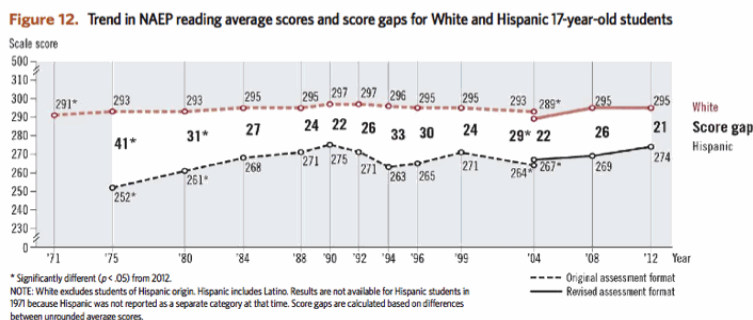
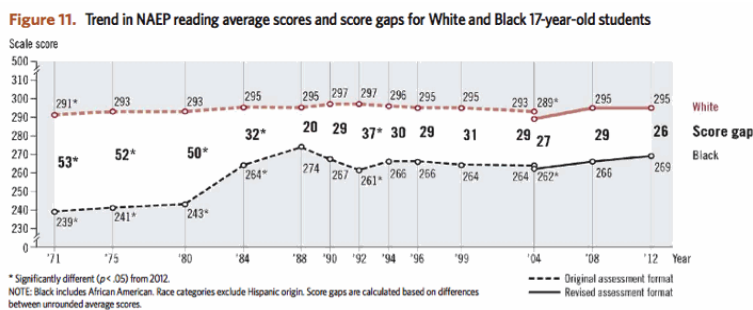
I cited [several research studies showing that](#) the design of our test-based accountability system creates powerful incentives for teachers to focus on kids just below the pass points and to ignore kids who are doing marginally better than that and, most frightening, kids who are really struggling and who will therefore be harder to bring to the pass point. Edelman attempts to refute that point by [citing a statement by a group of teachers](#) of the year in Education Week. It is a statement supporting the Common Core (which I also support). It says *nothing at all* about the merits or demerits of annual testing or any other point I made in my blog. Edelman says it proves that award-winning teachers all across America disagree with me. It proves nothing of the sort.

I made the point in my blog that, because annual testing is being used to drive teacher accountability, it is leading to an exodus of high quality teachers from our schools, especially those serving poor and minority children, and to a [plummeting rate of applications for admission](#) to education schools. Edelman responds by pointing to recent data showing that 70 to 80 percent of new teachers remain in the classroom for at least five years, rather than the 50 percent previously reported. That is bit of a non sequitur too. The data Edelman cites simply don't address the core point I made, which has to do with the rates of retirement of experienced teachers; the choices that good, experienced teachers make about which schools to teach in and the rate at which young people are choosing to go into teaching.

I also made the point that the requirement for annual testing is forcing schools to buy many cheap tests, rather than fewer and much better tests. And I said this is more of a problem for poor and minority kids than for wealthier majority kids because teachers of wealthier and majority kids tend not to teach to the basic skills tests because they know their students will do well on those tests anyway. Instead, the teachers of poor and minority kids give them an endless round of deadening drill and practice for the basic skills tests, thereby denying them access to richer and more challenging curriculum. Edelman's response is to point out that the cost of testing is only one half of one percent of [http://blogs.edweek.org/edweek/top\\_performers/2015/06/civil\\_rights\\_and\\_testing\\_response\\_to\\_haycock\\_and\\_edelman.html?print=1](http://blogs.edweek.org/edweek/top_performers/2015/06/civil_rights_and_testing_response_to_haycock_and_edelman.html?print=1)

the cost of schooling. But personnel costs **typically account for 80 to 85 percent** of school district expenditures. Only 15 percent to 20 percent of the total cost is available for everything else, including testing. In the wake of the Great Recession, school districts all over the country were laying off teachers, after savaging every other part of their budget. Most districts have not yet fully recovered. Good tests cost three to four times what we have been spending on accountability tests. For all these reasons, the costs of the tests cannot be dismissed.

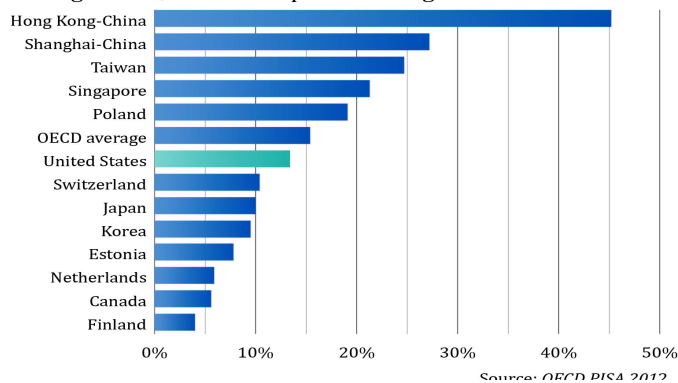
Edelman ends his piece by getting to what he says is his bottom line: "Civil rights leaders wisely understand that the growing resistance to accountability is directly related to the fact that it's starting to work." I'm sorry, but that is not true. It is not starting to work. I pointed out in my blog that, after 15 years of NCLB, **there is no evidence that poor and minority students** leave high school any better off than they were before NCLB. And I also point out that the **rate of improvement of academic performance** for poor and minority students before the passage of No Child Left Behind was *greater* than it has been since it was passed. Edelman did not refute that data. Nor did he offer any evidence for his assertion that tough test-based accountability is working for poor and minority children.



Source: The Nation's Report Card

I pointed to several studies showing that tough test-based accountability creates incentives for teachers to ignore the kids with the worst academic performance, kids who are overwhelmingly poor and minority. Edelman offered no evidence to the contrary. I pointed out that tough test-based accountability creates incentives for the most capable teachers to avoid schools serving poor and minority kids. Edelman offered no evidence to the contrary. I pointed out that countries without any form of tough test-based accountability systems are producing not only much higher average student achievement, but also much more equity than the United States. If, as he asserts, tough test-based accountability is so essential to higher performance for poor and minority students, how is it that countries without it are doing so much better for their poor and minority kids while we, who have been using such systems for fifteen years, are doing so much worse. Edelman says these countries don't have as many poor kids as we do. He's wrong. Some of the top performers have higher proportions of poor kids. More to the point, **socio-economic status is a better predictor of academic achievement** in the United States than in many countries with higher proportions of poor kids and no test-based accountability systems.

Percentage of Students from Disadvantaged Socio-economic Backgrounds, U.S. and Top Performing Countries



The facts ought to count for something. What both of these critiques come down to is an assertion that I don't have any business urging established leaders of the civil rights community to reconsider the issue, that I simply don't understand the obvious—that annual accountability testing is essential to justice for poor and minority students, that anyone who thinks otherwise must be in the pocket of the teachers unions. Well, it is not obvious. Indeed, all the evidence says it is not true. And anyone who knows me knows that I am in no one's pocket. I know the leaders of the civil rights community to be people of great integrity. They aren't in anyone's pocket, either. I think they want what is best for the people they represent. And I do not think that is annual testing.

**Categories:** [ESEA](#) [accountability](#) [equality](#) [low-income students](#) [minority students](#)

**Tags:** [accountability](#) [civil rights](#) [low-income students](#) [minority students](#) [NCLB](#)