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COMMENTARY

Test-Taking 'Compliance' Does Not Ensure Equity

By **Judith Browne Dianis, John H. Jackson, & Pedro Noguera**

As Congress considers the reauthorization of the Elementary and Secondary Education Act, families and teachers in school districts that serve low-income students and students of color struggle to understand how to address the highly punitive, push-out climate of overtesting brought on by the No Child Left Behind Act, the ESEA's last reauthorization.

Some parents have elected to opt their children out of the annual tests as a message of protest, signaling that a test score is not enough to ensure excellence and equity in the education of their children. Parents, they insist, have a right to demand an enriched curriculum that includes the arts, civics, and lab sciences, and high-quality schools in their neighborhoods. Since discussion of the overdue reauthorization of the federal law has resumed, however, a number of civil rights organizations have been equally outspoken about encouraging parents and students to comply with the annual testing required by NCLB. We believe this is a mistake. If opting out of high-stakes testing is a parent's chosen way to express dissatisfaction with an assessment system that has failed his or her child, civil rights and education advocates should support this quest for a real opportunity to learn in a healthy living and learning climate.

Since it was signed into law in 2002, No Child Left Behind has done little to advance the educational interests of our most disadvantaged students. What's more, the high-stakes-testing climate that NCLB created has also been connected to increased discipline rates for students of color and students with disabilities. And even after these tests reveal large outcome gaps, schools serving poor children of color remain underfunded and are more likely to be labeled failing. Most states have done nothing to intervene effectively in these schools, even when state officials have taken over school districts. Moreover, despite NCLB's stated goal of closing the achievement gap,

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wide disparities in academic outcomes persist.

While the law took us a step forward by requiring schools to disaggregate achievement data and produce evidence that students were learning, it took us several steps backward when that evidence was reduced to how well a student performs on a standardized test. Most states realized long ago that the law's goals, including that of 100 percent proficiency in reading and math by 2014, were unattainable. In 2013, the U.S. Department of Education wisely began to allow states to opt out of meeting this unreasonable requirement. Parents, likewise, have the right to opt out of tests when they realize states have not done the work of guaranteeing that their children are being adequately prepared.

We are not opposed to assessments, especially when they are used for diagnostic purposes to support learning. But the data produced by annual standardized tests are typically not made available to teachers until after the school year is over, thereby making it impossible to use the information to respond to student needs. Thus, students of color are susceptible to all of the negative effects of the annual assessments, without any of the positive supports to address the learning gaps. When testing is used merely to measure and document inequities in outcomes, without providing necessary supports, parents have a right to demand more.

The civil rights movement has never supported compliance with unjust laws and policies. Rather, it has always worked to challenge them and support the courageous actions of those willing to resist. As young people and their allies protest throughout the country against police brutality, demanding that "black lives matter," we are reminded that the struggle for justice often forces us to hold governments and public officials accountable to reject the status quo. Today's status quo in education is annual assessments that provide no true path toward equity or excellence.

The anti-testing movement will not be intimidated, nor is it going away. The No Child Left Behind Act and annual tests have long outlived their usefulness. It is time for a change. Throughout the country, parents, teachers, and students are calling for an alternative to the test-and-punish culture in our schools.

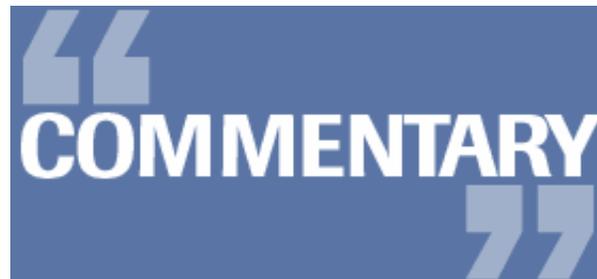
Some may choose to force districts to adopt a more comprehensive "dashboard" accountability system with multiple measures. Others may push districts to engage in biennial or grade-span testing, and still others may choose to opt out. What remains clear is that parents want more than tests to assess their children's academic standing and, as a result, are choosing to opt out of an unjust, ineffective policy. It's time to listen to these parents and support their efforts to ensure that all children have an opportunity to learn.

reflects a range of perspectives on parents' opting their children out of tests, from researchers who are studying the phenomenon, to parents who have long embraced testing boycotts, to teachers whose opinions on the subject vary widely.

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