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**DC Civil Rights Organizations Fail to Represent Education Civil Rights Agenda**

By Judith Browne Dianis, John H. Jackson and Pedro Noguera

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In recent weeks, a few national civil rights organizations including the National Council of La Raza, the National Association for the Advancement of Colored People, the League of United Latin American Citizens and National Urban League have vocally opposed efforts to highlight the dangers of high stakes testing by students and parents opting out of annual assessments. Uniting under the banner of the Washington, D.C.-based Leadership Conference on Civil and Human Rights, these groups are urging parents to comply with annual testing requirements. We strongly disagree with their position.

Data from these annual assessments are not a reasonable proxy for educational opportunity, and even more, educational equity. African American and Latino students are more likely to be suspended, expelled or pushed-out of school regardless of their performance on the test; and despite some improvement in graduation rates, significant disparities remain.

Moreover, of all the topics that could be addressed as No Child Left Behind (NCLB) is considered for reauthorization, why defend a policy that has proven ineffective in advancing the educational interest of children of color and disadvantaged children generally? Schools serving poor children and children of color remain under-funded and have been labeled "failing" while little has been done at the local, state or federal level to effectively intervene and provide support. In the face of clear evidence that children of color are more likely to be subjected to over-testing and a narrowing of curriculum in the name of test preparation, it is perplexing that D.C. based civil rights groups are promoting annual tests.

Why should wealthy parents be able to opt-out of the over-testing by sending their children to private schools while disadvantage students are forced to exist in a high stakes, over-tested climate for the sake of producing data that confirms what they already know — their schools lack the needed supports.

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We are not opposed to assessment. Standards and assessments are important for diagnostic purposes. However, too often the data produced by standardized tests are not made available to teachers until after the school year is over, making it impossible to use the information to address student needs. When tests are used in this way, they do little more than measure predictable inequities in academic outcomes. Parents have a right to know that there is concrete evidence that their children are learning, but standardized tests do not provide this evidence.

While high performing countries, wealthy parents and educational experts are calling for more student-centered and deeper learning experiences for their students, LCCR and others are asking communities to continue the practice of subjecting students to tests that have failed to deliver very little in the way of excellence or equity. Parents have a right to demand enriched curricula that includes the arts, civics and lab sciences. The parents who are opting out have a right to do so, and they certainly have a right to demand that their children receive more than test preparation classes that leave them bored and less engaged.

We should all remember that NCLB was originally enacted in 1965 as the Elementary and Secondary Education Act (ESEA), as part of President Lyndon B. Johnson's war on poverty. The measure was designed to compensate for disadvantages in learning opportunities between low-income and middle-class children. While it was never adequately funded, ESEA was envisioned as an "anti-poverty" bill.

We now know students cannot be tested out of poverty, and while NCLB did take us a step forward by requiring schools to produce evidence that students were learning, it took us several steps backward when that evidence was reduced to how well a student performed on a standardized test.  Most states have long realized that the goals set by NCLB - such as 100-percent proficiency in reading and math by 2014 - could not be achieved.  In 2013, the US Department of Education wisely began to allow states to opt out of meeting this unattainable requirement. Why not give parents the right to opt out of tests when they realize states have not done the work of guaranteeing their children are being adequately prepared?

The civil rights movement has always worked to change unjust policies. When 16-year-old Barbara Johns organized a student strike in Prince Edward County, Virginia in 1951 leading to Brown v. Board in 1954, she opted out of public school segregation. When Rosa Parks sat down on a bus in Montgomery, Alabama in 1955 she opted out of the system of segregation in public transportation. And as youth and their allies protest throughout the country against police brutality, declaring that "Black Lives Matter," we are reminded that the struggle for justice often forces us to challenge the status quo, even when those fighting to maintain it happen to be elected officials or, in this case, members of the civil rights establishment.

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