

# FairTest

## National Center for Fair & Open Testing

### **Building a Stronger, More Effective Assessment Reform Movement under ESSA**

Congress will likely soon pass and President Obama sign the “Every Student Achieves Act” (ESSA). This bill is the latest version of the long-standing Elementary and Secondary Education Act and replaces the universally despised “No Child Left Behind.” The new law presents both [opportunities and dangers](#) for the testing resistance and reform movement.

How can the movement use the opportunities, counter the risks, and win greater assessment reform victories? The first task is to continue to build resistance to high-stakes standardized exams in every state in the nation, especially by expanding the already large numbers of test refusals. Next is to transform this movement strength into concrete victories by winning state legislation and local regulations to cut back testing, end high stakes, and implement high-quality assessments.

ESSA pushes decision-making power about most aspects of accountability from federal education officials to the states and localities. It will take strong and savvy organizing to win needed changes. Here are some ways activists can bring positive change and avoid the law’s dangers.

#### **Push for far fewer state and local tests:**

Movement activists should organize to win these goals:

- No state standardized tests beyond those mandated by ESSA.
- No standardized local interim, benchmark, predictive, formative, or other such tests, including those embedded in commercial on-line curricula.
- A ban on standardized testing in pre-K through grade 3.
- Transparency in the number, and uses of tests, and time spent on test preparation

While ESSA mandates 17 tests (grades 3-8 in reading and math, plus three grades for science), states and districts require many more. A recent study shows the average public school student takes 112. With fewer federal accountability mandates, states and districts will be under less pressure to test incessantly. ESSA also contains funding for states and districts to evaluate and reduce their testing programs.

#### **Organize to end your state or district’s high-stakes testing mandates:**

- End state requirements that students pass standardized exams to [graduate](#) or be [promoted](#) to the next grade, as [many states](#) already are. These are not required by federal law or regulations.
- End requirements to judge educators by student standardized exam scores. ESSA eliminated any federal mandate for test-based teacher evaluation. Now activists must incorporate this change locally by preventing states from deciding to perpetuate these dangerous policies.

- Fight for tests to be no more than 51% of the weight in your state's formula for ranking schools (the minimum percentage allowed under ESSA). Ensure that other indicators are educationally sound, and that states provide assistance (including additional funding), not punishment, to schools identified as "low performers." ESSA does require states to rank all schools and act to improve the lowest performing, but the types of interventions are no longer specified in federal law.

#### **Win better assessment:**

Push to have your state become one of the seven that will be allowed to completely overhaul their testing systems under ESSA pilot programs. Ensure that the overhaul includes primarily locally-based, teacher-controlled assessments, such as projects and portfolios. The New York [Performance Standards Consortium](#) is currently the best U.S. example of educator-controlled performance assessments.

#### **Get your state to pass an opt-out law:**

In 2015, a few more states, including Oregon [[link to statute](#)] passed laws recognizing the right of parents to hold their children out of standardized testing, while similar opt-out bills advanced in one or both houses of several other legislatures. ESSA recognizes that families can refuse testing if a state has an opt-out law. The new law does mandate 95% test participation, but leaves it up to the states to decide what to do if a school or district does not reach that threshold. At a minimum, activists should organize to block moves to punish students who opt out or schools and districts with low participation rates.

#### **Use elections to raise issues:**

Use the 2016 election cycle to hold incumbents and challengers accountable for implementing assessment reform. Groups with appropriate tax status should consider endorsing/opposing candidates based on their positions on testing. Activists, including tax-exempt groups, can use questionnaires, candidate forums, bird-dogging, and letters to the editor to force candidates to take clear positions.

#### **Recognize and Block ESSA's Dangers:**

ESSA allows states to use federal assessment funding to revise their testing programs modestly, such as by adding tasks, portfolios and formative assessments. However, these tools are generally intended to be incorporated into standardized tests, as with the PARCC and SBAC [Common Core](#) exams. Performance assessments cannot fulfill their promise if they become mere adjuncts to current state exams. Similarly, a provision allowing districts to use a college admission test such as the ACT or SAT as the required high school exam must be treated with caution; those tests are no better educationally than existing state tests, and they have not been validated to assess high school academic performance.

Corporations such as Pearson and the right-wing American Legislative Exchange Council (ALEC) are promoting a dangerous version of "performance assessments." They have perverted ideas developed by progressive educators, and the language used to describe them, such as "performance tasks" and "embedded" and "formative" assessments, to promote centrally controlled, largely on-line testing and instruction. The movement must strenuously resist these maneuvers, not by abandoning the fight for high-quality assessments or the labels we use for them, but by distinguishing educationally helpful from harmful practices.

**The Next Reauthorization:** ESSA is due to be reviewed by Congress in 2020. It is not too early to think about what kind of federal law can be won as the movement builds more clout and wins more victories at the state and local level.

## References

Here, in order in which they are referenced, are the full URLs to the hyperlinks in the text:

Congress to Vote on No Child Left Behind Overhaul , at  
<http://www.fairtest.org/congress-vote-no-child-left-behind-overhaul>

FairTest's Testimony to the Rhode Island Legislature on Graduation Exams, at  
<http://www.fairtest.org/FT-testimony-RI-grad-tests>

Testing and Grade Retention, at <http://fairtest.org/arn/retenfct.htm>

Testing Reform Victories 2015: Growing Grassroots Movement Rolls Back Testing Overkill, at  
<http://www.fairtest.org/testing-reform-victories-2015-report>

New York Performance Standards Consortium, at <http://performanceassessment.org>

Common Core Assessment Myths and Realities: Moratorium Needed From More Tests, Costs, Stress, at  
<http://fairtest.org/common-core-assessments-factsheet>