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Refusing the Test:
Debating Assessment and Accountability in Public Education

Terri S. Wilson & Matthew Hastings[i]
University of Colorado Boulder

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Over the past year, Principal Cora Lewin had become aware of the growing number of students and families "opting out" of state assessments in Colorado.[ii] This trend started in a few suburban districts outside Denver, but had quickly become an issue of statewide concern. Most of the resistance had started when the state rolled out new science and social studies assessments in the Fall of 2014. Aligned to the Common Core State Standards (CCSS), these exams supplemented the state's English Language Arts and Math tests that had been developed through the Partnership for Assessment of Readiness for College and Careers (PARCC). The new social studies and science tests were piloted in 2014, including a new test designed to measure high school content, given to students in their senior year of high school.

This move was met with considerable student resistance. Organized groups of students in several suburban high schools staged large walkouts to protest the new tests. Still others stayed home, or quickly "bubbled their way through" the exams. Overall, more than 5,000 Colorado 12th graders refused to take the tests in November of 2014. Spurred on by the fall walkouts, "opting out" caught fire that year, as students in multiple grades refused to take the Spring 2015 Math and English Language Arts (ELA) exams. These numbers were particularly concentrated in a few suburban high schools. In Boulder County's Fairview High, for example, only nine of 530 eligible seniors took the test. In Douglas County, only a couple of students from Cherry Creek High School showed up for the test. While the state of Colorado made a number of changes to testing policy (i.e., moving to fewer, and more "meaningful" tests like the PSAT/SAT, in high school) students continued to opt out in droves.

Principal Cora Lewin's school had remained fairly insulated from these debates. Mountain View was a K-8 school in Oak Park, a neighborhood in north Denver. Opt out rates had been fairly low in the Denver Public Schools, even in high schools, and had been almost non-existent at Mountain View. Even in the wave of high school opt outs in 2015, 89% of 11th grade students at Denver's North HS took the ELA exam;. Lewin, shaking her head, had to admit that she had largely dismissed this issue as something her suburban colleagues had to deal with. All that had changed this year. This past fall, Lewin had been asked to have a surprising number of meetings with parents to discuss their concerns with testing. Many parents had also emailed her to raise concerns. And, in recent weeks, parents had started to turn in "refusal" forms, many of which appeared to be printed from the website of a local community group, "Advocating for Children." Now it was almost March; spring testing season was a little over a month away. Between the refusal forms she'd already received, and her sense of parents' views, Lewin anticipated that almost half of students in Grades 3-8 were not going to take the spring exams.

Lewin sighed heavily, straightening the papers on her desk before the start of her school day. She wasn't sure how these refusals would play out. Mountain View had never been one of the top performers in

the district; nor had it been among the lowest performing schools. These schools--ones with several years of low test scores--had been prioritized as part of the district's 'turnaround' efforts. Several of these schools had been closed and reopened as district "innovation schools." Similar to charters, these schools had new leaders, redesigned curriculum, and some flexibility in terms of staffing, hiring and operations; they were also "schools of choice" that enrolled students from across the district.

While Mountain View had done well enough on the tests to stay out of the reform spotlight, Principal Lewin still felt pressure from the district to raise the school's performance on annual assessments. The school's test scores had been "fair," but low enough to receive a "Watch" rating on the district's accountability framework. Lewin was particularly troubled by a stubborn test score gap in the school between students that qualified for free and reduced lunch (FRL) and those who did not. She had spent her career in the district drawing attention to challenges faced by low-income students, often asserting, quietly and firmly, in district meetings, that the so-called "achievement gap" was really an "opportunity gap." Mountain View's test scores did not perfectly correlate with family income, of course, but closely tracked divisions in the school, by class, race and language. The school's many emerging bilingual students did not do as well on the test, and while performance varied widely, the school's middle-class students tended to do better than students from lower-income families.

These class divisions had grown more pronounced over Lewin's five years as a principal. Mountain View's surrounding neighborhood, 'Oak Park,' was a diverse and working-class neighborhood in Denver, however, the neighborhood had faced pressure from the wave of gentrification, displacing many of the neighborhood's families. Even Oak Park's longtime residents who considered themselves middle class - teachers, civil servants, small business owners - were struggling to keep up, particularly if they didn't already own homes in the neighborhood.

Indeed, over the past several years, many younger middle class families had moved into Oak Park. The children in these families were changing the population of local schools, and their parents were also becoming active members of school leadership groups. At Mountain View, for example, Laura Bishop, the new chair of the school's site-based advisory board was a former lawyer with a child in third grade. A 'powerhouse' parent with a knack for fundraising, Laura was a valued member of the advisory board, and a leader on the school's PTA. She had raised some early concerns about the test last fall, and had shared information with parents about their rights to opt their children out of the exam, including links to the refusal letters that many parents had already turned in. Most (but certainly not all) of the parents who had turned in these letters were White, and almost all were among the middle-class professionals and newer families in the school and neighborhood. While aware of the racial dynamics of gentrification in Denver, Lewin's observations of the new families in the school had convinced her that the largest differences in opinions on testing seemed to revolve around family income and education.

While occasionally causing headaches, Lewin also took pride in the fact that her school was now one of the most integrated buildings in the district, across lines of family income, race, and language. Mountain View had 45% of its students qualify for free and reduced lunch, and enrolled families who were approximately 20% African-American, 25% Latino, 50% White, and 5% Asian. These demographics had shifted fairly dramatically in her tenure at the school; when she started, the school had about 70% of families that qualified for free and reduced lunch. While not one of the most "sought after" schools in

the district, Mountain View had a good reputation in the neighborhood, and Lewin had been given credit for putting the school on a stronger footing. However, the school's improving reputation—and neighborhood housing pressures—had contributed to the many new families choosing the school, and occasional moments of tension between newer and older families at the school. Newer families, for example, were often unaware of Denver's long and contentious history of school segregation. Longer-term residents of Oak Park, however, had lived through the days of busing and integration reforms brought on by the 1973 *Keyes* court case. While supportive of Mountain View, many African-American and Latino community members viewed recent neighborhood gentrification--and the changes to the school--through this contested history.

Thus far, Lewin had been able to navigate through these complex dynamics. Yet, the opt-out issue was quickly becoming a topic of tension and division at the school, particularly on the school's advisory board. It had also become a frequent topic of conversation at PTA meetings. Laura Bishop had, as chair of the advisory board, helped to initiate some of these conversations, but they were welcomed by many other parents with concerns about testing. Yet, Lewin noted that parents had diverse reasons for wanting to opt out. Laura, for example, saw the tests as an unnecessary distraction. As she pointed out in the last advisory board meeting, Mountain View's parents and teachers "didn't get the scores until far into next fall; that's far too late for the tests to play any meaningful role in supporting classroom instruction or interventions." Laura also worried about the amount of time spent on testing (generally about 4-5 schools days each spring, spread across two weeks) and the ways in which teachers focused classroom time on reviewing for the tests each spring. She asked, "What are the students missing out on during all this test-prep?"

Lewin had been surprised that her efforts to do what she saw as reasonable amounts of test preparation were controversial for some parents. They objected to academic support staff (including the school's two literacy coaches, the librarian and the gifted & talented coordinator) being pulled away to help facilitate testing. Lewin knew this was 'standard practice' at many schools in the district, but for some parents, the practice underscored how testing constrained learning opportunities for all students, even the ones not taking the test. Allison Stevens, an advisory board member who had helped lead fund-raising efforts to support enrichment activities at the school (e.g., the spelling bee, participation in the state history fair) had been particularly angry about some of these staffing decisions. "Why should my daughter--a second grader--lose her library time, and important weeks with her G&T teacher? She's not even taking the tests!" Allison had suggested that (especially given the high numbers of students likely to be opting out), students who refused tests should be allowed to meet in the library and work on enrichment projects during the testing weeks. Lewin knew--and had attempted to patiently explain--that this suggestion was a non-starter. The district was quite clear that students opting out were not to be given alternate activities, or special classes; the only option was silent reading in the cafeteria. Beyond the requirement, Lewin would have objected to the idea that "some kids" would be tested, while "other kids"--usually the ones with the more vocal parents--received extra enrichment.

But parents were by no means unanimous in their thinking. Diane Williams, a long-time advisory board member and parent volunteer, had sent four children through Mountain View; her youngest was now in fourth grade. Diane had been polite, but dismissive, when other parents on the advisory board raised

concerns about the test. Privately, to Principal Lewin, she rolled her eyes when the topic of opting out came up. Testing had been a major topic at their last advisory board meeting and Diane had argued that the school needed (and deserved) to show how it was doing, especially given its good work to improve outcomes for lower-income kids. What might happen with a bunch of kids--especially the ones likely to post strong test scores--opted out? How would this make the school look? And, she added, "I don't have a problem with my kid taking the test; he's tough." Principal Lewin liked Diane, and saw her point, but winced at this last comment, which she knew was aimed at a few other parents in the room. She knew that Diane, and some parents at Mountain View didn't see 'what all the fuss was about.' She'd heard from a number of parents who asked: "what was the big deal? And why now; the school had always taken the tests?" Some parents, mindful of school reform efforts, also felt a degree of loyalty to the school: they wanted Mountain View to "look good," and to "show those folks down at the district that this is a great school."

But other parents saw testing differently. In many meetings this year, Lewin had heard about the growing pressure that students felt to do well on the tests. These parents were angry that their children felt like they might be letting their teachers down by getting low scores, or that the experience of testing was frustrating to some students. As David Anderson, a father of a fourth grader explained, "my son comes home feeling stupid, like there is nothing he can do to answer those questions." Lewin had a hard time knowing how seriously to take these concerns. She knew her staff well, and was surprised to hear that any student had felt pressure to raise their scores, or had been made to feel stupid. Lewin and her staff had certainly spent a fair amount of time thinking about the tests: analyzing data, strategizing on ways to improve their performance, and also how to target interventions to students who might be able to move from the 'less than proficient' level to 'proficient.' She hoped that she had underscored a sense of seriousness and purpose about the exams, but didn't feel like she was putting undo pressure on teachers to push too hard for results. While she didn't want to dismiss parent's concerns, she sometimes wondered if some of them may have been a bit overblown; perhaps shaped by parents more than kids.

But she had been more moved by certain objections. Rose López, a mother of a 5th grader, had turned in her refusal form last week. On it, she had written: "My daughter has big dreams; she wants to be a cardiac surgeon. But she's been doing some of the practice assessments, and has told me her scores mean she won't be able to be a doctor. She's bright and smart, and it is too early for her to be worried about scores!" June Brooks had spoken with Lewin about her 7th grade son, who was autistic, and whose individualized education plan specified a range of testing accommodations. "How can my son take a standardized exam when he has this kind of IEP? How will this test meet my son where he is? I know what happens when John takes these tests. His teacher has to try and write down all his answers for him, which he can't give anyway. I know he's gotten a no score on previous statewide exams. This is just a huge waste of his time and the teacher's time. They should be spending that time learning."

The upcoming testing season had also been a topic of conversation at last month's PTA meeting. While Lewin knew some parents were supportive, or neutral, about the tests, a few parents had been particularly vocal in their objections. Jessica McDowell, a parent of two children who had been active in the "Advocating for Children" group, argued that the tests were simply a tool of privatization: "Who do

these tests benefit? For-profit test makers like Pearson, not our kids!" She also raised objections to the district's adoption of computer-based assessments, and the new interim-assessment system recently adopted by Mountain View. As she noted, "All that screen time cannot be good for our kids, and it's another million dollars for a for-profit company." She wanted to know how parents could refuse the interim-assessments as well. Darrell Jackson, an African American parent who also served on the school's advisory board, had also taken a lead, asking the group, "How exactly do you think more testing is going to end racism for our students? How is testing going to help our kids? Let's be honest, we went from literacy polls tests to standardized testing somehow; it absolutely makes no sense. Testing is just another part of the racist society we live in." Lewin, observing the meeting from the back of the school cafeteria, noticed several parents nodding their heads in the audience, thinking to herself that she'd have more refusal forms on her desk the next morning. She, too, felt the weight of Jackson's words; in part because they resonated with other conversations she'd had with colleagues and friends outside of school.

Lewin was an active member of the local Denver-area chapter of the NAACP. Her chapter, which included a number of local teachers, had been following the debate about opting out, nationally and in Colorado. With other civil rights groups, the national NAACP office had come out strongly against opt-out efforts, noting "we rely on the consistent, accurate, and reliable data provided by annual statewide assessments to advocate for better lives and outcomes for our children. These data are critical for understanding whether and where there is equal opportunity." This national position had been resisted by some local chapters around the country. The Seattle NAACP chapter, for example, had issued a counter-statement: "Using standardized tests to label Black people and immigrants as lesser—while systematically underfunding their schools—has a long and ugly history. It is true we need accountability measures, but that should start with politicians being accountable to fully funding education and ending the opportunity gap…The use of high-stakes tests has become part of the problem, rather than a solution."

Lewin's local Denver chapter had not yet taken a stand, and if she was being honest with herself, she wasn't sure what it *should* be. As a teacher, she had worked in a number of schools where she had observed the caustic effects of certain teachers' low expectations for "those kids," and how some student's chronic low achievement remained largely invisible. While skeptical of some of the newer education reform movements in the district (particularly efforts to "turnaround" or "reconstitute" schools), Lewin saw that many low-income students and students of color had benefitted from the district's "unrelenting focus" on raising student achievement. In particular, she applauded the district's work to direct more resources (literacy coaches and staffing to lower class sizes in the early grades) to schools that were struggling academically. This policy had shifted more resources to many underserved schools, particularly in what Lewin termed the "forgotten neighborhoods" of North Denver. What would happen to these students, and potential resources, if there was no measure of academic achievement?

At the same time, Lewin understood some of the opposition to the tests. Too often, the tests had been used to identify particular schools as 'failing' and had ushered in policies in the district designed to close the lowest performing schools and open up new school models, many of which were schools of choice. Her teaching staff was equally dividing about opting on, particularly on this issue, with one teacher

noting that these tests wouldn't actually help teachers, families, and students address the issues of systemic racism and oppression in society.

She understood the weight of these words and wanted to offer clearer guidance to her teachers. And she felt more and more pressure to offer clearer feedback to parents. “What information should we give parents,” she’d asked, and “what case do we make?” Her phone call yesterday with Dr. Benson, the district’s longtime head of assessment, offered little help. The new state law, he noted, “prevents you from encouraging parents to opt out.” But, he added, “you can’t discourage them either.” The district needed the data, and valued it, but they had tried to say “as little as possible.” Indeed, Lewin remembered the official email that the district had sent a few weeks ago, formally notifying parents of their legal “right to refuse” to have their child take state exams. It was assiduously neutral and very brief.

The tension surrounding opt out in her community was weighing on Lewin. Testing season was coming up fast, and she was feeling pressure from parents and teachers to take a stand. The school’s advisory board wanted her to convene an all-school meeting to answer parents’ questions about testing. She’d promised Laura Bishop, the advisory board chair, that she would have more information after talking to the district. She also knew that teachers expected more guidance at this week’s faculty meeting. Just to herself, she admitted feeling a sense of responsibility. It felt wrong to try to wash her hands of the controversy; teachers and parents were looking to her for guidance. She also didn’t want the issue to fracture the school’s sense of shared purpose. While respecting parents’ rights to direct their children’s education, Lewin also had a sense that attending public school came with certain shared obligations. She glanced up at the clock: 7:35 am. Soon, parents would be stopping by her office after dropping off their kids. How might she respond to parent and teacher concerns? How should she proceed?

Notes

[i] This case was developed through conversations with our collaborative research team, including Michele Moses, Mara Taylor-Heine, Ana Contreras and Wagma Mommandi. Thanks also to Katy Wiley and Terrenda White for helpful feedback. An earlier version of this case was workshopped at the Center for Ethics and Education’s meeting on “Democratic Responsiveness” in March 2017. Our thanks to Paula McAvoy, Harry Brighouse, Tony Laden and other participants for their helpful feedback.

[ii] This is a fictionalized case study (the focal school, Mountain View, and characters and events are fictitious), but the case draws on a number of real context from Colorado from 2014-2016 (including test participation rates).