Testimony on S.B. 24
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February 21, 2012[1]

Chairpersons Stillman and Fleischmann and Members of the Education Committee:

Pursuant to the requirement established by your committee, I am submitting testimony on the sections of S.B. 24 relevant to the hearing on February 21. The scope of this bill is massive, requiring an enormous amount of research. As a parent given two days to submit testimony, I cannot perform the research and analysis necessary to evaluate every aspect of this bill. I implore you to do the due diligence that a complex bill such as this one requires. While there are those urging immediate passage of this bill, apparently without thorough analysis, I respectfully submit that these demands are political noise aimed at advancing a particular agenda. The price we bad for bad legislation hastily passed will be much greater than the time it takes to carefully assess each of these huge policy recommendations. In the time accorded me, I can only highlight some of the aspects that warrant your attention.

The Use of Standardized Tests in Teacher Evaluations

I am a parent of three children in Stamford's public schools. My children are in 6th, 10th and 11th grade. Like all parents, I want good teachers for my children, and for all children in this state. It is precisely because I am invested in quality teaching and quality learning that I respectfully oppose the use of standardized test scores in any part of a teacher's or principal's evaluation.

Standardized tests have been proven to be completely unreliable in evaluating teaching

The evidence is quite clear that using standardized tests to evaluate teaching is unreliable. Studies from Berkeley, the University of Colorado, New York University, the RAND Institute and elsewhere have consistently found a 40%-60% misclassification rate when using standardized tests to evaluate teachers.

(Rothstein, *A review of learning about teaching,* http://nepc.colorado.edu/files/TTR-MET-Rothstein.pdf , Briggs and Domingue, *Due Diligence and the Evaluation of Teachers*, http://nepc.colorado.edu/publication/due-diligence ; Corcoran, *Can Teachers be Evaluated by their Students' Test Scores? Should they be?*, http://annenberginstitute.org/pdf/valueaddedreport.pdf ; Daniel F. McCaffrey, Daniel Koretz, J. R. Lockwood, & Laura S. Hamilton (2005). *Evaluating Value-Added Models for Teacher Accountability.* Santa Monica: RAND Corporation.)

The research has shown that when based on test scores, teachers' effectiveness ratings vary from year to year, class to class, and from test to test. They even change if you use a different statistical model to analyze them. The use of standardized tests is no better than tossing a coin to decide which teacher stays and which goes.

Why are ratings based on these tests so unreliable?

[1] note: this testimony covers only topics on the hearing schedule for February 21

As W. James Popham, one of this nation's foremost testing authorities explains standardized tests were not designed for the purpose of judging teaching. They are not valid to judge teachers because they are not "instructionally sensitive." They cannot distinguish which children have been taught well and which children have not.

Professor Popham, an emeritus professor at UCLA, is the author of countless books and textbooks on testing. He has shared the most recent draft of his yet-to-be published article with me (dated 2-2-2012) and has allowed me to quote from it for the purposes of this testimony.

"*Any teacher-evaluation system based on students' test scores must employ tests that primarily measure what students have been taught by their teachers.* Regrettably, the tests being chosen for use in these waiver-spawned evaluation systems fail to satisfy this indispensable requirement."

Professor Popham explains that:

"Because most states' NCLB accountability tests have been constructed using traditional test-development procedures, it is not surprising that these tests provide no evidence about their use in determining teachers' effectiveness. "

However, Professor Popham asserts "**relying on essentially unproven tests to make decisions about the caliber of a state's teachers is patently indefensible"** (emphasis added) He calls the use of these tests in teacher evaluation systems "flat out folly."

In addition to Professor Popham, virtually every testing expert, educational and research organization opposes the use of standardized tests to evaluate teachers, including the American Education Research Association, the National Academy of Education and the National Research Council. I have attached a brief prepared by AERA and NAE on this topic.
http://www.aera.net/uploadedFiles/Gov_Relations/GettingTeacherEvaluationRightBackgroundPaper(1).pdf

Supporters of this proposed legislation may say that the tests would only account for one-fifth of teacher evaluations, so what is the harm?

The harm is in using a measure that gives no information about how a teacher teaches, but rather distorts the picture. In New York, which is facing the same issue, over 1,300 principals joined forces to oppose that state's plan. As one of this group's leaders, Carol Burris remarked, "whether you put three ounces of arsenic in my orange juice or six ounces of arsenic in my orange juice, the result is still the same."

Moreover, as Rutgers education professor Bruce Baker points out, these tests may be only 22.5 percent of the protocol, "but they will drive 100 percent of the decision-making." The other, mushier, measures will fall by the wayside when people can just focus on a so-called "hard" number.

There are good models for effective teacher evaluation, using proven tools, such as structured observation, analysis of students' work and constant feedback. These are tools used in the much-praised Montgomery County, Md., Peer Assistance and Review system. There, teachers mentor new and struggling veteran teachers. If the mentoring does not work, then a panel of teachers and principals can

vote to terminate the teacher. They do not use standardized tests as the tests are not reliable and they do not want to turn their schools into "test factories."

We all want quality teachers for our children. Using the wrong criteria to measure them will undermine this goal. As Professor Popham points out "[w]hen wonderful teachers are mistakenly discharged, while inept teachers are retained, who is it that really loses out? It is, of course, these teachers' *students* who, almost certainly, will be less well taught. "

Not only will students be affected by improper teacher evaluations, but they will also have real impact on teachers' lives. The extreme case of Los Angeles teacher Rigoberto Ruelas is a tragic example. Ruelas was a well-respected teacher in an impoverished section of Los Angeles. In his 14-year career in the same school, he mentored kids, counseling them away from the gang violence that surrounded them, tutored on weekends, visited kids' homes and encouraged them to go to college. Then, a newspaper published a report in 2010 ranking him as a "less effective" teacher based on his students' test scores. Several days later, Ruelas committed suicide. Subsequent to his death, the evidence found a 40%-60% misclassification rate in Los Angeles' teacher evaluation system.

<u>The proposed plan will result in an impermissible increase in standardized testing</u>

The proposed teacher evaluation plan mandates using standardized tests as part of every teacher evaluation. Currently, we have standardized tests in Reading, Writing and Math in grades 3-8 and 10, and science in grades 5,8 and 10. Therefore, to implement this plan, we will have to create and administer standardized tests in <u>every subject and every grade</u>, from kindergarten art to high school gym.

As a parent, I am appalled at the prospect of standardized tests in every subject and grade. With the current tests, in only two to three subjects, our curricula have been impermissibly narrowed already. Around this state, art, music, even foreign language, have been jettisoned in order to prep for CMTs and CAPTs.

It is not only the subjects that are being narrowed. Learning itself is being narrowed. Our children are being trained mostly how to give canned answered to prepackaged questions. They are given little opportunity to explore ideas, research and write, or ask their own questions. The focus is on covering "content," for regurgitation on tests, not on real learning. Both teachers and students are increasingly suffering through mind-numbing scripted lessons. When this occurs, all those precious teachable moments, where teachers can react to student comments and help them make connections to the outside world, are lost. I am reminded of a comment made by education professor Paul Thomas, when reflecting on his own education. He noted that he always scored well on standardized tests, even when he had a "bad" teacher. "Teachers never impacted significantly my grades or tests scores for three decades, but the individual teachers greatly influenced my learning, my interests, and even my course in life—*none of which can be found in any of the data linked to my learning*." Forcing teachers to simply teach to a test, and students to learn that way, robs students of the opportunity to develop those interests and teachers of the opportunity to help shape them.

Martin Luther King, Jr., in 1947, wrote eloquently about the purpose of education. "Education must enable one to sift and weigh evidence, to discern the true from the false, the real from the unreal, and

the facts from the fiction. The function of education, therefore, is to teach one to think intensively and to think critically." Instituting tests in every subject will prevent our schools from fulfilling this purpose. Moreover, does not allow for the kind of learning that will fulfill the state's constitutional obligation to ensure our children can "participate in democratic institutions, obtain gainful employment and continue on to higher education." In fact, the vast majority of college professors complain that students arrive unable to do college level research and writing.

Our children, especially those in the neediest districts, are being denied the opportunity for a rich and varied education because of the pressure exacted upon districts to increase test scores in just a few subjects. Imagine what will happen when high stakes tests are implemented in every subject.

Moreover, to think that any standardized test will somehow test "higher order" thinking is fallacy. As demonstrated by Dan Rather in his expose*, Bad Score*, the manner in which open-ended questions on these tests are scored is horrifying. Scorers, almost always temporary seasonal workers, sit sweat-shop style in a large room for reading similar essays for eight hours straight. They allot thirty seconds to each essay. Their scores depend on what time of day it may be, how many similar scores they have already given (too many 4's? start giving some 3's!), and other completely arbitrary "criteria." This is not the recipe for careful evaluation of higher order thinking skills.

As many studies show, discipline trumps IQ in predicting academic achievement. Thus, schools that focus on developing that discipline in children will succeed in helping them learn best. Rather than focus on more testing, we would do better to help schools build the capacity to assign and monitor the type of work that builds academic discipline – work such as researching and writing term papers. This is the work that would help develop the critical thinkers who will be able to innovate both in their roles as citizens and in their future employment.[2]

I am saddened to know that my children are not receiving as rich an education as I received in Connecticut's public schools. The effect on other children distresses me even more. My husband and I, both with graduate degrees, have the means to provide our children with enrichment opportunities when the state narrows their school's ability to do so. However, many parents do not have that capacity. For many children in our state, school is where their horizons can be broadened. Forcing children to prepare for and endure standardized test after standardized test will limit their world view and their future opportunities.

<u>Increased testing, increased pressure</u>

The obsessive focus on tests has caused an inordinate amount of stress in our children. Every parent and school nurse can tell you countless stories about stomachaches, severe anxiety and other symptoms that arise solely around CMTs. I have children who test well, and my children know I do not put much

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[2] Every child, no matter what her background, can build this discipline. Will Fitzhugh, the editor of The Concord Review, a journal that publishes exemplary high school term papers offers a road map for schools.
In his Page Per Year plan, a first grader would write one page on a subject other than herself, using one source. The pages and sources would increase per year: two pages and sources in second grade, three in third, etc. By high school, students will not only be proficient readers and writers, but they will have a chance to think deeply and form their own conclusions about world events. They will have the skills to succeed in school and to be responsible and engaged citizens.

stock in standardized tests. Yet even my son tearfully begged me at 8 years old that we move to a district that does not test kids.

Implementing tests in every grade and every subject threatens to destroy any joy left in learning. If you are aiming for student engagement, increased testing will have the opposite effect.

Tests have not helped narrow the achievement gap

The irony is that tests do nothing to help learning. The National Research Council has found that ten years of test based accountability has had little effect on the achievement gap. Its report concluded that "the overall effects on achievement tend to be small and are effectively zero." It concluded that the "available evidence does not justify a single-minded focus on test-based incentives as a primary tool of education policy." ("Incentives and Test –Based Accountability, National Academies Press, 2011 http://www.nap.edu/catalog.php?record_id=12521)

Cost Analysis?

I respectfully request that prior to adopting such a wide-reaching testing regime, the legislature assess the potential cost to the state and districts of developing, training for, administering, scoring and reporting such a vast number of standardized tests. As you know, prior to suing the federal government over the cost of NCLB, this legislature commissioned a cost study to determine the cost to the state of NCLB's mandates. Neglecting to assess the cost of this massive new testing system would be fiscally irresponsible. Districts such as ours have been cutting educational services and personnel year after year. Increasing the level of testing to this astronomical degree would either require a new source of funding for our schools or diverting vital educational resources away from our children and toward standardized tests.

The research is abundantly clear that standardized tests provide no information about a teacher's effectiveness or impact. Moreover, using these tests improperly, i.e. in a teacher's evaluation, will have real consequences. Teachers will lose their jobs and children may very well lose good and dedicated teachers.

Including standardized tests will also result in an astronomical rise in testing for our children. Testing is not learning. In fact, the over-emphasis on testing is detrimental to learning.

Our children will be charged with fixing all the complex problems we are leaving them. Therefore, rather than narrow our children's world, please work with us to try to provide every child with a rich and deep education, so that they may be equipped to be responsible and productive citizens. Please reject the unnecessary and damaging testing that this proposed legislation represents.

Eliminating Seniority

The seniority provision is aimed mainly at reduction in force layoffs. Reduction in force layoffs (RIFs) are not meant to improve the quality of the teaching staff -- they are emergency budget measures. They are determined by the needs of the entire district. RIFs do not pose the choice between one core classroom teacher and another. Often the choice is to cut a particular program, again, because of

budgetary, not quality needs. Moreover, as stated above, the "effectiveness" rating proposed by this legislation does not properly measure quality. Therefore, it is a fallacy to say that eliminating seniority will result in a "higher quality" teaching staff. Furthermore, in order to implement this "quality-based" layoff system, we would need standardized tests in every subject and grade. As I discussed above, this system is detrimental to quality learning, the goal to which we all aspire. I ask you also to consider the following question: in what other profession is experience condemned as it is now being derided in teaching? In fact, there is evidence that in teaching, experience matters and is quite valuable. I urge you to carefully analyze that research. Moreover, if our concern is the proper distribution of quality teachers, the research shows that lifting seniority provisions do nothing to change the distribution of quality teachers. http://schoolfinance101.wordpress.com/2011/04/14/njlogicgaps/

Eliminating Tenure

I respectfully request an honest discussion and examination of teacher tenure. Although there has been much rhetoric spouted about tenure being a lifetime guarantee of a teaching position, we all know that is not true. As has been pointed out so often, tenure is a guarantee of the due process to be accorded a teacher prior to termination. It ensures that termination is not arbitrary, but rather based on documented malfeasance or failure to perform one's job. One must examine whether the current process truly presents obstacles to justifiable terminations. There may be many cases where administrators simply are not fulfilling their obligations to monitor and supervise teachers (I suspect, often because of the inordinate amount of bureaucratic tasks imposed upon them by various state and federal mandates). This problem would not be one in which drastic legislation is the solution. Among the areas to explore is whether tenure is different in Connecticut's high performing districts and its low performing districts. If tenure were key to achievement, wouldn't there be a difference in tenure among these districts?

I also urge you to consider the damaging effects of eliminating tenure. I have already discussed at length the unreliability and arbitrary nature of the proposed system to judge teaching effectiveness. Therefore, it has already been established that we may very well be terminating effective and dedicated teachers. Knowing that this system is arbitrary, what well-qualified teaching candidate would want to apply to work in Connecticut? Are we sure that there is a long line of high quality teachers waiting to sign up for the positions vacated by teachers we fire? Moreover, what is the effect that eliminating tenure (and basing evaluations on standardized test scores) will have on teachers currently teaching in our schools? Teachers will become risk averse, sticking to those scripted curricula rather than creative teaching that may respond to the particular needs of their students. They may avoid teaching those children who struggle, for fear that the test scores of those children will determine their professional fate.

Good school systems are built not by firing all bad teachers and magically replacing them with brilliant ones. Good schools are about creating an environment where most teachers can be successful -where they can work together and support each other to help students learn best. As the vast body of research shows, while teachers may be the most important in-school influence, that influence is small (less than ten percent) and completely overshadowed by the out –of-school factors that dominate children's lives. http://www.nytimes.com/2011/12/12/opinion/the-unaddressed-link-between-poverty-and-education.html?pagewanted=all ; http://sanford.duke.edu/research/papers/SAN11-01.pdf . Thus, to focus our attention to solely firing teachers will do little to improve our children's education.

Policy makers are fond of comparisons to other countries, particularly how American students fare compared to other countries in the PISA tests administered by OECD. Therefore, it may be instructive to consider what OECD research has concluded is important to increase educational equity. The organization's 2012 report concludes, among other things, that "success in improving equity in education also depends on other policies (e.g. health, housing, welfare, justice, social development), which reinforces the importance of fostering the links between these areas. While the education system is responsible for giving the students the opportunities for education achievement, other governmental policies also need to be aligned to ensure students success." When discussing teaching, OECD never mentions eliminating seniority or tenure. Rather, the keys to teacher success in OECD countries are: teaching teachers how to work with disadvantaged children, mentoring and supporting teachers, and ensuring good working conditions. http://www.keepeek.com/Digital-Asset-Management/oecd/education/equity-and-quality-in-education/improving-low-performing-disadvantaged-schools_9789264130852-5-en

It seems that only in the U.S. are we obsessed with punishing and firing as a method for improving school climate and performance.

While I have no time to delve into all the research concerning teacher tenure, I urge you to engage in a thoughtful and dispassionate examination, keeping in mind our true goal: a supportive school environment with all the resources to give every child the opportunity to learn.

I must add that I had but two days to prepare this testimony. I was just notified of this hearing in the late afternoon of February 14, with the deadline of February 17 for submitting written testimony. I have yet to read the full 160 pages of this bill, let alone conduct a thorough analysis and research. I am disheartened that this hearing is proceeding on such a tight schedule, and is occurring during Stamford's school vacation. I only received notice of this hearing because I had signed up for notification in advance. Most parents affected by this legislation most likely have no idea it is being proposed, let alone that there are hearings being held. I hope you take into consideration the needs of all public school children and that you take the time to conduct the research that we parents neither have the time nor means to do. The future of our schools and our children's education demands no less.

Thank you.

Respectfully submitted

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