



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**

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**MEMORANDUM**

DATE: April 29, 2015

TO: All Members of the Delaware House of Representatives  
and Delaware State Senate

FROM: Ms. Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: H.B. 50 (Smarter Balanced Assessment "Opt-Out")

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 50 which would create the right for the parent or guardian of a child to opt out of the annual assessment, currently the Smarter Balanced Assessment System. In a nutshell, the legislation would allow parents to exempt their children from participation in the statewide assessment. No reason would be required. There would be no repercussions on the student (lines 8-9). The Department of Education would maintain a data system to record "opt outs" (line 10).

Proponents of a universal "opt out" right are concerned that too much time is spent on test preparation, the tests place too much stress on children, and the tests are discouraging since a significant percentage of students are expected to generate poor results. Opponents of a universal "opt out" right stress federal penalties for low test participation rates, the value of an objective measure of achievement, and the value of identifying academic weaknesses upon which teachers can focus remedial instruction.

Given concerns about perceived "over-assessment" of students, the public school system is undertaking an inventory of testing with a goal of eliminating duplicative or marginally valuable testing. See attached March 12, 2015 News Journal article. This approach merits endorsement.

Establishing a universal "opt out" right raises several concerns.

First, consistent with the attached February 28, 2015 and March 26, 2015 articles, the federal Department of Education requires states to have a 95% participation rate or face sanctions. Sanctions could include loss of funds for programs that serve low income, rural, and migrant students.

Second, public schools will have an incentive to "discourage" students who they anticipate will perform poorly on the test (special education students; minorities) from participation.

Third, students benefit from some experience in taking standardized tests. Performance on SATs and

similar tests may be compromised if students are “protected” from the stress and experience of periodically taking standardized tests.

Fourth, the validity of overall test results will be undermined if large numbers of students do not participate in the assessment. For example, if test takers are predominantly high-achieving students, the results may “paint a rosy picture” of achievement with little basis in reality.

Fifth, the reality is that Delaware students lack basic skills. Only a quarter of graduating students score high enough on the SAT college entrance exam to be considered ready for college. See attached October 8, 2014 News Journal article. Authorizing mass exemption from testing will “mask” but not change poor performance. “Ostrichism” is not a viable response to relatively poor overall performance by Delaware students.

After weighing the positive and negative aspects of the legislation, SCPD does not support the proposed legislation. However, the Council does believe it’s important to eliminate duplicative testing and testing programs which may be “overkill”.

Thank you for your consideration and please contact SCPD if you have any questions regarding our observations and position on the proposed legislation.

cc: Mr. Brian Hartman  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

HB 50 smarter balanced assessment opt out 4-29-15

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HIGH-STAKES TESTING

# Should parents be able to pull kids out of testing?

10-2-01

By Matthew Albright The News Journal

Fed up with how schools are relying on standardized tests, some parents say they should be allowed to pull their students out of them.

They argue the tests are too taxing on students, don't fully or accurately measure how students and teachers are performing, and soak up valuable time administering and preparing.

Schools are gearing up to give the Smarter Balanced test for the first time in the spring. The test is tougher than the tests taken previously in schools by design, aiming to more accurately judge how deeply students understand concepts.

See TESTS, Page A5

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# Tests: An opt-out could put federal grants at risk

Continued from Page A1

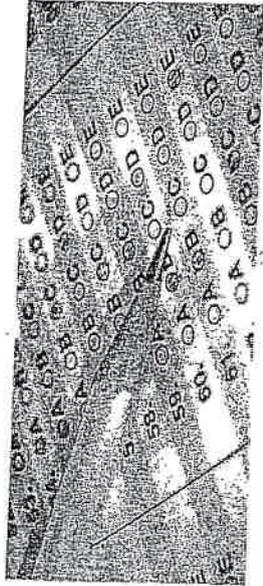
The percentage of students scoring high enough to be considered proficient is expected to plunge, not because students or teachers are performing worse but because the bar is higher.

Parents are currently not allowed to have their children "opt out" of tests, and education officials say doing so would deprive parents and teachers of valuable information about how their children are progressing, which would make it difficult to address their learning needs.

Caught in the middle is the state Parent Teacher Association. While the group supports the state's moves to the Common Core State Standards and the new Smarter Balanced Assessment, it has also heard concerns from "a number of parents and educators."

PTA president Teri Hodges said a small but vocal number of parents have been asking the group to support "opt-outs" for months now. But recently, more parents have started to ask about it.

"Over the last couple of weeks, we have received several requests from our general membership to bring this idea to the table," Hodges said. "Right now, there are too many unknowns, so as an organization we cannot take a position yet. But we know there is



The percentage of students scoring at a proficient level is expected to plunge with a tougher test in the spring.

interest, so we are gathering information."

The group has put questionnaires for parents and teachers on its website asking whether they believe in "high-stakes testing," whether they think the tests take too much time away from other important activities, and whether the tests actually help teachers in the classroom.

Hodges said the group has gotten an "overwhelming response" to the questionnaires, and also received plenty of e-mails from teachers.

"Just from what I've seen, the feelings are really mixed," she said. "I've got some parents and educators

who support it, but I also have some who don't think it's a good idea at all."

State leaders say the law currently requires districts to administer the test unless a student has an extreme medical incident, or there are mental health reasons to exempt them. Both require approval from a doctor.

That's necessary, they argue, because test scores are a vital tool for administrators, teachers and parents. "This is the primary way we know if schools are making appropriate progress towards educating children on academic standards," Department of Education spokeswoman Alison May said in an e-mail. "And state testing helps parents understand how their child is doing in comparison to students in other schools. This is important, as grading policies are different across the state and are difficult to use as a comparison."

Allowing Delaware parents to exempt their kids from the standardized tests could run afoul of federal rules that require every student be tested, Hodges said. That could cause major problems, including the loss of federal funds.

"We don't want to take a stance saying parents should be able to opt out without knowing all of the possible consequences," Hodges said.

Contact Matthew Albright at malbright@delawareonline.com or 324-2428, or on Twitter @TNJ\_malbright.

# OPINION

Susan D. Leath President and Publisher  
David F. Ledford Executive Editor  
John Sweeney Editorial Page Editor



Online Friday: Religious extremism's ugly comeback. [delawareonline.com/opinion](http://delawareonline.com/opinion).

## OUR VIEW

# WHAT ARE SCHOOL TESTS TEACHING US?

Just what is it that we Americans don't like about school testing? Is it too tough on our children? Is it too tough on the education establishment, especially teachers? Or is it a plot to totally federalize our school system, report cards and all?

The answer probably is: All of the above. Delaware students will be hit with major-league testing in the spring. This is a new test, one shaped by national standards. The scores are expected to dip, at least for a few years. The official reasoning is that the students are not really doing worse. It is just that the bar has been raised.

Now, as in other states, some parents and organizations are expressing concern about the effect of the tests on the students. Some are raising objections to the Smarter Balanced Assessment, as the test is called, and to the Common Core Standards, with which the test is aligned.

Standardized testing is coming under attack around the country.

Parents in Texas are objecting to it because it is seen as a national takeover of the schools. Parents in New York have objected to it because they see it as hard on the children and embarrassing to the teachers.

Both states have long histories of standardized testing. Now that consequences are being tied to the tests though, the mood is changing. In the 1990s, then-Gov. George W. Bush was a strong supporter of testing. He continued to be so when he became president. President Clinton was a supporter of testing, as is President Obama. It now appears we have bipartisan opposition to testing.

The current round came out of the Race To The Top program under President Obama. Some observers say the crystallizing moment for the Obama administration was the release of the 2009 Programme for International Student Assessment, or PISA, test. It showed the United States' students were mediocre, at best, in mathematics. Shanghai students, however,

performed stunningly better. President Obama's advisers compared the shock of the test to the shock of the Russians putting the Sputnik satellite into space in the 1950s.

The Race To The Top program that followed was built upon the No Child Left Behind Act from the Bush administration. That act was the first big money education law that came with consequences for failing to improve the outcomes for children. The Race To The Top money and the waiver from meeting the NCLB goals prompted many states, including Delaware, to go along with the new testing regimen. So here we are.

The arguments about conspiracies and feelings do not matter if it can be clearly shown that the testing will give parents and schools a reliable measure of a student's progress. As the testing season approaches, the state and the schools would be advised to clearly demonstrate to parents and any doubters the advantages of the test.

**Wilmington News Journal 10/08/2014, Page A03**

**SAT report: Too few kids college ready**

**Delaware figures skewed because all students take test, but other states more selective**

By Matthew Albright

The News Journal

Only about a quarter of Delaware students who graduated last year scored high enough on the SAT college entrance exam to be considered ready for college, virtually the same as last year.

The report issued Tuesday from the College Board, which administers the test, suggests the state has a long way to go before its students are ready for education after high school. That's important, it says, because the specialized jobs of the future will require more workers with degrees.

Some 27.7 percent of Delaware students from both private and public schools made an overall score of 1550, which is considered the benchmark for college readiness. A student who makes that score has a 65 percent chance of earning a grade point average of B- or better in their first year at a four-year college.

The class of 2014's average composite score was a 1497. A perfect score is a 2400.

"This shows why we have to continue the hard work of implementing the Common Core [State Standards]," said Michael Watson, the state's chief academic officer. Watson said the state's years-long effort to transition to the new standards, which set more ambitious academic expectations for students, is being "actualized" this year. Higher expectations in the classroom hopefully will mean moving the bar on college readiness.

Though the percentage of students has remained largely the same, a growing population and better test participation means the number of students scoring proficient has actually grown by 5.7 percent over the past two years, Watson said.

The report shows that minority students are still far less likely to score college-ready, another persistent problem. Only 7.7 percent of the state's black students and only 12.7 percent of Hispanic students met the benchmark.

Nationally, 42.6 percent of students met the benchmark, also about the same as last year, but that number is not comparable to Delaware's.

Delaware administers the SAT test to every student in class, which means its scores are more representative of the entire student population than most. Only Idaho and Washington D.C. do that, though Maine pays for its students to take the test during one of the regular administrations.

Most states have much lower participation rates – nationally, only 47.5 percent of high school grads took the exam. Scores are generally better when the participation rate is lower because more of the students included are prepared for and interested in college, the report said.

Watson pointed to several individual schools that have seen big gains on the SAT recently. Dickinson High School has seen its average total score leap by 101 points over the past two years, while Cape Henlopen High has increased its score by 27.

The SAT is undergoing a major redesign that will first be administered in the spring of 2016. College Board officials say the new test will better reflect what students learn in high school.

The College Board also has said it is working with Khan Academy, a website that provides online lessons, to provide free test prep. That's an effort to reduce the gap between low-income students and affluent kids whose parents can pay for them to have tutors and other preparation.

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Delaware students did not see a significant change in their performance on the SAT in 2014. About a quarter of the students taking the test were considered college ready based on their test scores

# Lower scores expected on new state test

MATTHEW ALBRIGHT  
THE NEWS JOURNAL

Parents and students should brace for scores on the state standardized test to plunge this year as Delaware moves to a much more difficult national exam, with fewer than half — and, in some cases, fewer than a third — of students taking it likely to score proficient.

Delaware is one of 17 states giving its students the Smarter Balanced Assessment, designed to measure the new, tougher Common Core State Standards. Just as the Common Core aims to set higher expectations for what students should know and be able to do academically, state officials say Smarter Balanced is much tougher than the old test, the Delaware Comprehensive Assessment System.

That's because it requires more in-depth answers, with writing sections and "performance tasks" that require students to more deeply understand the concepts they learn in school.

The group devising the test is projecting that a relatively small number of stu-

**"We have schools and**

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BRIAN TOUCHETTE,

STATE DEPARTMENT OF EDUCATION

dents will score well enough to be considered academically proficient.

Like with the DCAS, students can score on one of four levels. They must score a three or a four to be considered Common Core proficient.

In math, fewer than a third of eighth- and 11th-graders are expected to meet that bar. In third grade, 39 percent of students are expected to meet it.

Students are expected to do better on reading. About 38 percent of third-grad-

ers and 44 percent of fifth-graders are projected to score proficient.

Under the DCAS, about 70 percent of students scored proficient in both math and reading. So, in some grades, the number of students "passing" the new test could be cut in half. School officials are telling parents not to panic.

"Because the new content standards set higher expectations for students and the new tests are designed to assess student performance against those higher standards, the bar has been raised," said Joe Willhoft, Smarter Balanced's executive director, in a news release. "It's not surprising that fewer students could score at Level 3 or higher. However, over time, the performance of students will improve."

State officials say the projected scores more accurately represent how likely students are to succeed in college and more closely mirror performance as measured by the National Assessment of Educational Progress.

"We think this is a more realistic representation of what we are seeing after high school," said Brian Touchette, di-

rector of assessment at the state Department of Education.

Touchette emphasized scores on the test will probably improve steadily as teachers and students begin to more fully implement Common Core.

"We have schools and educators who are dedicated to better instruction in classrooms, and we are confident the scores will start to show that," he said.

The state has taken steps to blunt the shock parents will likely feel when many students who had previously performed well come home with scores telling them they are not meeting the standards set for them. The state worked with several education organizations to create DelExels.com, which includes information about Common Core and the test designed to measure it.

"What we are really trying to emphasize here is that students and teachers are not doing any worse," Touchette said. "We are just asking them to meet a higher bar."

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# Parents, teachers push back against Delaware testing

 Matthew Albright, The News Journal 3:15 a.m. EST February 28, 2015



(Photo: SUCHAT PEDERSON/THE NEWS JOURNAL)

The stress that Delaware's high-stakes standardized tests place on students, teachers and schools is leading a small, but vocal contingent of parents to say, "Keep my child out of it."

At their backs are educators, advocates and lawmakers who want to see enough parents pull their kids from the exams that the results are rendered invalid and the state is forced to grapple with the possibility it is overtesting kids.

The opt-out movement could, if more parents join, strike at the heart of a school-reform movement that has steered education policy in Delaware and many other states in recent years, especially since federal Race to the Top grants were awarded.

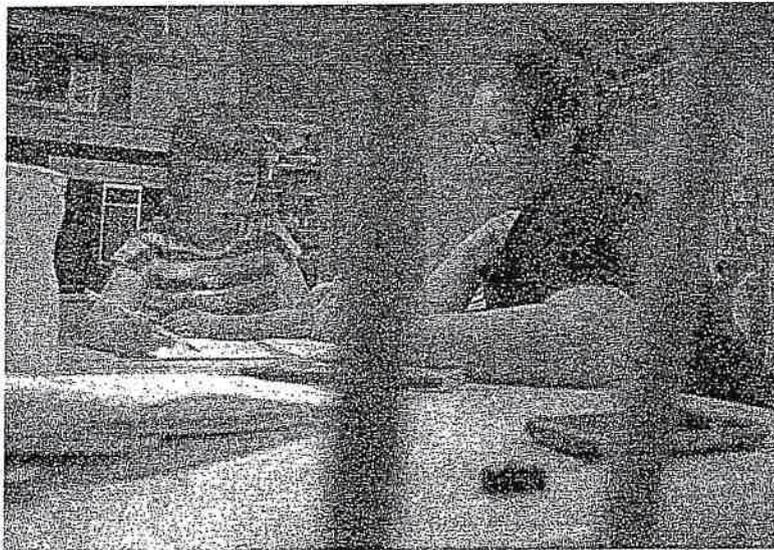
State education leaders are trying to halt the opt-out movement before it gets off the ground. They say data from tests are invaluable tools for educators, policymakers and parents and point out that schools risk potentially painful federal sanctions if too many students don't take the tests.

That has not convinced parents like Jackie Kook.

Kook, who teaches in the Christina School District, has told her daughter's school in the Red Clay district not to give her the test.

"Part of it for me is protecting my own child and removing her from that environment of high-stakes pressure," Kook said. "But the other part is that I see what all this testing is doing in the classroom, and I just don't want my daughter to be part of it."

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Jackie Kook works on a reading exercise with her daughter Caitlin, 9. Kook, a Christina School District teacher, is opting to take Caitlin out of state standardized testing. (Photo: SUCHAT PEDERSON/THE NEWS JOURNAL)

Kook sees her daughter sometimes spending an hour a night at home doing math homework and worries that standardized tests' focus on math and reading is driving schools to prioritize those subjects over everything else.

She sees test scores being used to judge teachers and label schools and sees the state make policy without much consideration of other factors, such as the poverty students face. And she sees students spending time preparing for the test and spending hours in computer labs that she thinks should be better spent learning in the classroom.

Kook and parents choosing to opt out their kids are in largely uncharted territory.

The Department of Education does not acknowledge the ability for parents opt out, saying state law requires schools to test kids and provides for only rare exemptions for severe disabilities and emergencies. But parent advocates like those in the state Parent Teacher Association point out that state law also does not explicitly prevent parents from pulling out their kids.

There is no official form to fill out, so parents are submitting form letters found on the Internet.

DELAWAREONLINE

Parents' concerns surround tough new Delaware testing

(<http://www.delawareonline.com/story/news/education/2015/02/27/parents-concerns-surround-tough-new-delaware-testing/24154719/?from=global&sessionKey=&autologin=>)

The federal Department of Education requires states and school districts to test at least 95 percent of students. They also require that 95 percent participation rate for every "subgroup," whether it's black students or low-income students or students learning English.

Should the state or districts fall below that figure, they could face sanctions, the worst being loss of funds for programs that serve low-income, rural and migrant students.

That gives districts a strong incentive to keep as many students as possible taking the test. Several parents who asked to opt out received letters from district officials citing the department's stance, that state and federal laws require testing.

But the opt-out movement does have some influential supporters.

The Capital school board passed a rule requiring its schools to accept parents' decision to opt-out. A bill in the Legislature would explicitly give parents the option and prevent the state from penalizing schools when students skip the test.

The Delaware PTA and Delaware State Education Association education union both say parents have a right to opt out, though neither has yet officially voted to endorse doing so.

"Our view is that every parent should have to right to make that decision on behalf of their child if that's what they think is best," said Teri Hodges, the state PTA president, who is opting her daughter out. "I personally don't feel that the Smarter Balanced in its current form offers any individual value for me as a parent regarding my daughter's growth in school."

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Jackie Kook's T-shirt offers several reasons for opting out of the new standardized tests. (Photo: SUCHAT PEDERSON/THE NEWS JOURNAL)

Using testing data to drive decisions has been one of the hallmarks of the Department of Education during the tenure of Gov. Jack Markell and Secretary of Education Mark Murphy.

Some of the biggest investments the state made using its \$118 million federal Race to the Top grant involved work with data. One of Markell's favorite Race to the Top initiatives is Professional Learning Communities, in-school groups where teachers work with each other and with data coaches. They comb through student scores to find what specific areas each student needs help with.

Tests are more than just abstract figures on a chart, state officials say.

"For our educators, parents and community at large, state testing is an important part of understanding how schools, districts and the state are doing in educating and preparing students for college and careers," spokeswoman Alison May wrote. "This is the primary way we can know if we are making appropriate progress toward educating students on the academic standards."

Testing data help the state figure out if it is closing the gap between white and black students and rich and poor students. Parents can look at testing data to see if their children are proficient at the same level as students in other schools.

That has not convinced all parents of testing's value.

David Brenton has a son who excels in his day-in, day-out classwork. But when he has brought home the results of state tests, they said he's underperforming.

"When it comes time for testing, he just struggles," Brenton said. "There's something about the testing environment that short-circuits his thought process and breaks his focus. The whole testing thing has not been helpful to my son's earlier education."

This year, Brenton's daughter is in the third grade, and is supposed to take Smarter Balanced the next few weeks. He has read online about how the new test will take hours and that most students are not expected to pass.

He hears officials talk about how important the data that standardized tests gather is to education. But, though he's asked questions of his school, district and the state Department of Education, he has yet to be convinced the test is worth it.

So he has opted his daughter out.

Parents are not the only ones supporting opt-outs. They are backed by teacher advocates and others who are fed up with a Department of Education and "school reform" movement they believe are test-obsessed.

"Teachers are not against tests," said Frederika Jenner, president of the DSEA education union. "But tests are being used for things they were never intended."

Test scores are now used to judge how teachers are performing, though the state has put a hold on that policy for a year as it moves to the new test. Test scores are used to measure which schools are good and which schools are bad.

Department officials have cited sagging scores when closing charter schools. When the state picked six Wilmington schools for its controversial Priority Schools plan, it chose the schools based on their low test scores.

Big end-of-the-year tests might be seen as useful for policies like those but aren't nearly as useful for day-in, day-out education, Jenner said. Teachers are trained to keep tabs on where each student stands and tweak their work accordingly.

State Reps. Sean Matthews and John Kowalko, who sponsored the bill that would allow parents to opt-out, hope enough parents will pull kids out of testing that Delaware is forced to have a conversation about whether tests are being overused.

"There are teachers and parents who are crying for us to stop this test-and-punish mentality, but no one is listening," Matthews said. "Representative Kowalko and I are hoping that enough parents are getting out of the test that the data becomes invalid, and we have no choice but to have the discussion over what's really best for our kids."

Contact Matthew Albright at malbright@delawareonline.com, (302) 324-2428 or on Twitter @TNJ\_malbright.

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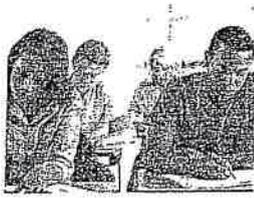
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[\(/story/news/education/2015/02/28/class-notes-health-fair-film-festival/24191063/\)](/story/news/education/2015/02/28/class-notes-health-fair-film-festival/24191063/)

Feb. 28, 2015, 6:02 p.m.

# Delaware may eliminate some school testing

 Matthew Albright, The News Journal 11:50 p.m. EDT March 12, 2015



(Photo: Getty Images/Stackphoto)

The state, districts and individual schools will take an inventory of all the different tests students take and attempt to eliminate those that are redundant or ineffective.

Gov. Jack Markell on Thursday re-affirmed his belief that good tests are a vital part of the education system but acknowledged that some parents and teachers have complained that students are spending too much time on them.

"Our educators, our students, and their parents all deserve the benefits of effective assessments that show when students are excelling and when they need extra support," Markell said. "At the same time, tests that don't add meaningfully to the learning process mean less time for students to receive the instruction and support they need."

Secretary of Education Mark Murphy said the state would give districts financial support to review all of the tests students are given. Some tests might be attempting to measure the same standards as the statewide assessment, he said, and others might have outlived their usefulness.

"We want to be proud of every assessment we ask our students to take," Murphy told a group of William Penn High School students. "We want you to know what you learned, what you didn't learn, and what you've got to do next."



DELAWAREONLINE

Parents, teachers push back against Delaware testing

<http://www.delawareonline.com/story/news/education/2015/02/27/parents-teachers-push-back-testing/24146775/?from=global&sessionKey=&autoLogin=>



DELAWAREONLINE

Delaware teacher unions: no confidence in education leaders

<http://www.delawareonline.com/story/news/education/2015/03/12/delaware-teachers-unions-confidence-education-leaders/70244892/?from=global&sessionKey=&autoLogin=>

Other than tests required by the state or federal governments, Murphy said it would be up to districts to determine which exams they might eliminate.

The Delaware State Education Association, the state's largest education union, endorsed the elimination of redundant tests.

"Too much testing, and the high-stakes often attached to the results, has diminished our students' love of learning and our educators love of teaching," Frederika Jenner, the group's president, said in a statement. "We will support efforts to eliminate redundant, ineffective, and unnecessary tests as long as educators are directly and fully involved in the review of these tests and testing procedures."

State leaders made clear that the Smarter Balanced Assessment ([/story/news/education/2015/02/27/parents-concerns-surround-tough-new-delaware-testing/24154719/](http://www.delawareonline.com/story/news/education/2015/02/27/parents-concerns-surround-tough-new-delaware-testing/24154719/)), the big, tough new statewide test students are taking for the first time this year, will remain in use across Delaware.

Smarter Balanced asks students to have an in-depth knowledge of material, and is structured to go beyond multiple-choice answers and, in some cases, demand written responses. Because the test is more difficult and will students longer to complete, scores are expected to plunge — fewer than half or only a third of students are projected to score "proficient."

Students are expected to spend seven or eight hours over a few days to complete the exam. State officials point out that because Smarter Balanced is administered only once a year, it will actually take up less time than the previous state test, the Delaware Comprehensive Assessment System.



Schools forum brings energy for change

<http://www.delawareonline.com/story/news/education/2015/03/09/schools-forum-brings-energy-change/24680565/?from=global&sessionKey=&autologin=>

Citing the stress that Smarter Balanced will put on their kids and schools, a small but vocal group of parents — some of them teachers — have chosen to "opt their students out" of the new exam.

Rep. Earl Jaques, who chairs the House Education Committee, said the state's effort to eliminate tests should hopefully ease parents' and teachers' concerns. But he joined Markell in saying opting out isn't the answer for students.

"Is there too much testing? Absolutely," Jaques said. "And this shows we're trying to do something about that. But to me, opt-out is admitting failure, and that's not the American way."

Many teachers have also expressed concerns about how the new test will be used in their personnel evaluations. This year's scores on Smarter Balanced will not factor into those evaluations, but many educators have called for an extra year on top of that to transition to a regime for students.

Both Markell and Murphy both said they were "having positive conversations" with federal officials about that possibility.

Contact Matthew Albright at malbright@delawareonline.com, 324-2428 or on Twitter @TNJ\_malbright.



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Tough new Delaware testing concerns parents

<http://www.delawareonline.com/story/news/education/2015/02/27/parents-concerns-surround-tough-new-delaware-testing/24154719/?from=global&sessionKey=&autologin=>



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# Opting Out Is Not A Viable Option

Earl Jaques 12:09 p.m. EDT March 15, 2015



(Photo: .)

I will come right out and say it: I do not agree with the movement for parents to opt their children out from standardized testing. I have several reasons for that, but I want to acknowledge that while I don't agree, I understand why some parents, teachers and advocates are pushing for this. They are frustrated by a system that does not function as well as it should, with different versions of tests seemingly being rolled out every couple years and students and schools being labeled as failing when that might not reflect the entire picture.

These are all valid concerns, and whether you believe that opt-out is viable or not, we all share the same common goals: We want our children to be successful, and for that to happen, we need to ensure that our schools are functioning well and our teachers have the resources they need to educate their students. I believe that standardized testing plays an important role in this.

Is there too much testing? Absolutely. But while much of the focus on standardized testing is on the federally required tests, a sizable amount is state- or district-administered. That is why I joined with Governor Markell Thursday calling for a comprehensive review of all state/district testing and assessment. I have asked Rep.

Stephanie T. Bolden, a former teacher, and Rep. Sean Matthews, a current teacher, to be part of that study group. I believe this could result in the biggest change and eliminate much of the pressure our teachers, students and parents are feeling today regarding testing.

I recently had the pleasure to attend a forum of the past Teacher of the Year winners. During that forum, I was able to ask several of them what they thought of the Smarter Balanced test. Each one stated that they like the test and believe we should keep it. That is not to say there aren't teachers who are frustrated with the assessment, but it is not a universally held opinion.

We must remember that the Smarter Balanced assessment is supposed to be a measuring stick – not a whip to induce pain on our children and teachers. When I graduated from high school I had to compete with children from within our state. But today, our children compete against children across our nation – and even globally – for jobs and schooling opportunities.

We need a means to see how we compare with others. If we use this measuring stick correctly, then we can make the necessary changes to our educational system, ensure that we provide the necessary resources, and above all provide the best opportunities for each and every child to succeed. One way to improve upon the existing system is to create a method to evaluate these results to make them more informative.

That is how we should be addressing the concerns we are facing with standardized testing – by tackling the problems we perceive head-on.

The idea of "opting out" sounds appealing to some parents. Removing their child from testing is a form of protest and a way for them to take ownership of the situation. But consider the side effects. Imagine a class of 25 students where five opt out of the tests. What message does that send to the other 20 children who have to take the test?

How does that teacher convince students that the tests are important if a segment of the class has said they're not worth taking? It becomes that much more difficult to keep students focused on taking the assessment, which also will be part of that teacher's evaluation process. Fewer children taking the test means other children will need to do better to reflect positively on the teacher. That's not fair to our hard-working teachers.

To be clear, I do not support test scores being part of the teacher evaluation system. I have joined my colleagues in requesting an additional year be added before we allow test scores to be part of the teacher evaluation system as part of our state's ESEA waiver process.

Lastly, the consequences of opt-out policies remain largely unknown. In other states where opt-out policies are in place, opt-out rates are far from uniform across demographic groups, which could compromise the data we receive from the tests and jeopardize our federal Title I funding.

I sympathize with those parents, teachers and advocates who have grievances with our current standardized testing system, and I am committed to working with all stakeholders to tackle this problem to benefit our children and grandchildren. We disagree on the opt-out method, but we are heading toward the same goal.

Earl Jaques chairs the House Education Committee and represents the 27th District in the Delaware House of Representatives, which includes Glasgow and surrounding communities.

# Standardized Testing Divides Us, Let's Unite

Sean Matthews 12:07 p.m. EDT March 15, 2015



(Photo: Submitted)

There are many ways to talk about the role standardized testing plays in our public schools, but there's one question that we have to answer before we can debate the issue: Do these tests make our students smarter, more capable and more prepared to lead successful lives?

After decades of testing at all levels, with different standards, methods, benchmarks and outcomes, the answer to that question is not what we thought it would be. Overwhelming numbers of scholars, parents, statisticians and legislators are starting to realize, with evidence, that standardized testing and the policies that flow from testing are doing more harm than good.

Over the next three months, students in Delaware's charter and traditional community schools will be asked to take a standardized test called the Smarter Balanced Assessment. The stated goal of this test is to pinpoint strengths and weaknesses in our educational system.

But that's not the whole story. Most standardized tests are designed by for-profit companies that market their materials to states, which are required by federal law to test public school students in return for federal funding. Under this business relationship, the best interests of the testing firm are not aligned with the best interests of students, teachers and schools. Instead, there is great incentive to make students and their educators look like they're "failing" so that these same firms can offer their own branded "reforms" and "solutions" to states and districts, for a worthy fee.

It's a marvel of modern marketing. The testing firms control both the supply and demand for their products. These companies win when more students "fail" the test. Our students, schools, districts and state education agencies have become profit centers for these corporations.

In turn, those companies put some of their profits to work in Washington, D.C., hiring lobbyists to make sure the federal government doubles down on standardized testing requirements.

How did we get here? In the aftermath of the economic collapse of 2008, the federal Department of Education approached cash-strapped states with a proposition: We'll offer you federal money to keep your education budgets solvent, but only if you agree to the conditions set forth in our newest federal program, Race to the Top (RTTT).

After Delaware "won" a substantial RTTT grant, local districts immediately raised concerns about the strings attached to the money when it came to achievement standards, evaluation of teachers, and local control over schools. In the years since Delaware implemented its RTTT policies statewide, we have seen these concerns deepen and multiply, with standardized testing at the heart of them all.

Look at the Red Clay and Christina school districts, which both cover larger geographic areas. Their suburban elementary schools "excel" at the tests, while their city schools "struggle." The teachers in these districts go to the same specialized trainings, use the same high-quality instructional and technology resources, and are overseen by the same district administrators, yet the vastly different outcomes persist.

Unless we choose to believe that the hundreds of teachers who work in city schools care less about their students than their colleagues in the suburbs, we must acknowledge that poverty, not personnel, is creating the divide in these school systems.

Standardized tests widen this divide, labeling poor students and their schools as "failing" without offering a real solution to the underlying problem that causes the division.

It's easy to label a school "failing" based solely on test scores. It's easy to create new schools that use enrollment preferences and "counseling out" techniques to weed out at-risk students. But it's difficult to fix endemic poverty and lagging parental involvement. We need to do the hard work.

Lastly, I ask that you talk to a teacher or principal you know, someone who works in schools each day. Ask them if the manner in which standardized tests are used today is best for students. Many of these teachers will tell you that the path we are on is wrong for kids. We want our teachers to teach and our students to learn, free from the threat of being branded as failures, losing their jobs or losing their schools.

It's time for a change and that change starts with two things: 1) Parents need to force a conversation by exercising their right to opt their students out of  
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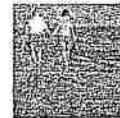
Sean Matthews is a teacher and represents the 1st District in the Delaware House of Representative. which includes the communities of Claymont and Talleyville.

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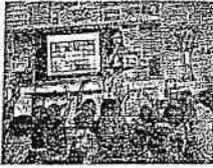


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# Delaware PTA: Parents should have say in standardized test

Matthew Albright, The News Journal 12:20 a.m. EDT March 26, 2015



(Photo: JENNIFER CORBETT/THE NEWS JOURNAL)

The Delaware Parent Teacher Association is joining teacher unions and several school boards in saying parents should have a right to opt their children out of taking the state standardized test.

The PTA's Board of Managers, made up of the local leaders for each school, passed a resolution urging parental choice. Teri Hodges, the group's president, said the resolution is about parents having control over their child's education.

"We feel that a parent should have a right to make this decision on behalf of their students and, if they feel that the test is not in the best interest of their students, they should have the option to act on that," Hodges said.

About 100 representatives were there for the vote this week; one opposed the motion and two abstained, Hodges said.

PTA leaders emphasize that the vote does not mean PTA thinks parents should pull their students out of testing, only that they should have a right to.

"It's not our place to tell parents what to do," said Yvonne Johnson, the group's immediate past president. "What we're saying is that parents have a right to make the decision that they think is best for their child."

PTA leaders say the decision means they will support a bill in the Legislature explicitly allowing parents to opt out and work to make sure students who don't take the test have some kind of meaningful academic activity while it is being administered to others.

Delaware is moving to a tough new standardized this year called the Smarter Balanced Assessment. Because it is designed to measure the "higher bar" for academics set by the Common Core State Standards, the test requires more thorough answers than multiple-choice questions.

State leaders have tried to discourage parents from [pulling their children out of the test](#) ([/story/news/education/2015/02/27/parents-teachers-push-back-testing/24146775/](#)), saying state law requires students to be tested and does not provide a mechanism for those who aren't sick or severely disabled to be exempted.

Gov. Jack Markell's administration says testing helps teachers figure out how to best help students and is an invaluable tool for district and state leaders to make smart decisions. They also point out that federal law requires 95 percent of students to be tested and say the state, districts or schools could face consequences, like a loss of funding, if they fall below that figure.

"Students and parents deserve the benefits of knowing how they are doing and where they may need extra support to be prepared for college or a career when they graduate," said Jonathon Dworkin, a spokesman for Markell.

Dworkin pointed to statements made by groups like the Urban League that have argued testing is a key way communities know whether minority and low-income students are being educationally under-served.

Those arguments have not swayed a small group of vocal parents who have told their schools not to give their children the tests. Those parents, many of them teachers, say too much time is being spent testing and preparing. They say tests place too much stress on kids and testing is being used for purposes they don't like, such as judging schools and teachers.

Officials in several districts say they have received a handful of opt-out requests from parents, but it does not appear any district so far is at risk of falling below that 95 percent figure.

The Delaware State Education Association passed a similar resolution last year supporting parents' right to pull their student out of the test. School boards in the Christina and Capital school districts have passed resolutions saying parents can opt out.

The Red Clay School Board is scheduled to vote on a similar resolution at its next meeting.

Despite these groups' stances, state officials have not retreated from their position that every student capable of taking the test should do so.

"We have received positive feedback from many educators and parents about the new test," Dworkin said. "We expect that our schools will continue to follow state law and administer the test to students who should take it."

Markell's administration says it is taking steps to [limit the impact of standardized testing](#) ([/story/news/education/2015/03/12/delaware-look-number-tests-students-take/70214422/](#)). The governor recently announced that the state was taking an inventory of all tests students take and would work with districts to eliminate any tests that are redundant or not useful, though he emphasized that Smarter Balanced will continue to be administered.

"While we do agree that we need to reduce the amount of statewide testing, adopting this singular approach to the exclusion of acknowledging a parent's right to opt out, ignores the fact that parent and teacher concerns with the Smarter Balanced Assessment go far beyond the amount of testing," it said.

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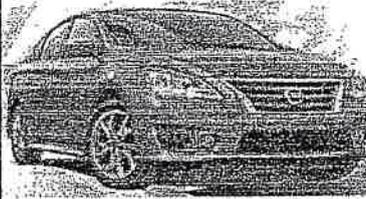


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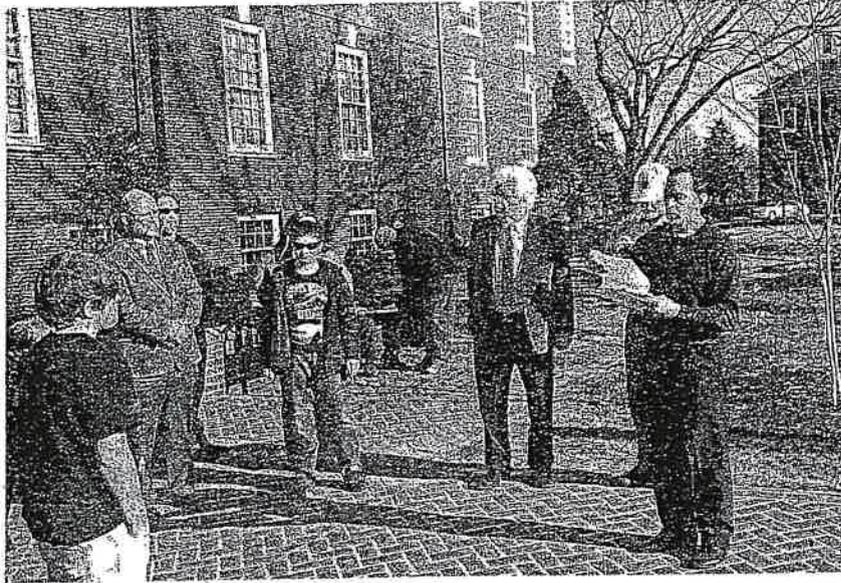


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March 26, 2015 12:21 a.m.



MATTHEW ALBRIGHT/THE NEWS JOURNAL

Kevin Ohlandt (right) speaks to a group of about 20 parents about standardized testing while Rep. John Kowalko listens on. Kowalko has sponsored a bill explicitly allowing parents to pull their kids out of state standardized tests.

## Parent group protests standardized testing

MATTHEW ALBRIGHT  
THE NEWS JOURNAL

About 20 parents protested in front of Legislative Hall in Dover on Wednesday afternoon about how the state is using standardized tests.

The group voiced their support for a bill that would explicitly allow parents to remove their children from those tests.

"We need to stop fooling ourselves that standardized testing is the answer the educational problems we face," said Kevin Ohlandt, a Dover parent who has tried to organize parents to opt-out.

The group represented a small but vocal number of parents who have told their districts that their students will not take the state standardized test.

They worry that students are spending too much time preparing for and taking tests when they should be learning, that the tests place too

much stress on kids, and that teachers and schools are being unfairly judged based only on test scores.

Because of those concerns, they have decided to "opt their kids out."

State officials have tried to discourage parents from doing so, saying state law requires kids to take the test and doesn't provide a way to exempt them except for rare cases. They say test scores provide invaluable information to help improve schools.

But some parents, backed by the state Parent Teacher Association and the Delaware State Education Association union, say they have a right to pull their kids from the tests if they choose.

Rep. John Kowalko, a frequent and vocal critic of Gov. Jack Markell and the Department of Education, agrees parents already have that right, but has sponsored legislation

that would explicitly allow opting out.

"How many of you think parents have a sacrosanct right to protect themselves from government intrusion?" Kowalko asked the parents. "We have the government intruding in public education to the disdain of teachers."

Rep. Earl Jaques, chair of the House Education Committee, said Kowalko's bill will be heard at an April 22 committee meeting and urged any parents who have opinions on opting out to attend and speak.

"It's the only thing we have on the agenda right now," said Jaques, who personally opposes opt-outs. "I expect we're going to have a lot of public debate, and I encourage that."

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