A MULTI-STATE POLITICAL PROCESS ANALYSIS OF

THE ANTI-TESTING MOVEMENT

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I applied McAdam's political process model for social movement analysis to examine the level of collective resistance to high stakes testing in California, Massachusetts, New York, South Carolina, and Texas from 1985 to 2005. Data on protest occurrences in those states were gathered from online news reports, anti-testing organization websites, and electronic interviews from individuals associated with the anti-testing movement. Variables used in the analysis included each state's key educational accountability legislation, political affiliations of state political leaders, state political leaders' support of accountability issues, student ethnicity profiles, poverty indicators, dropout rates, and collective bargaining laws. I examined the relationship between those variables and protest development in terms of the political process model's three components: framing processes, mobilizing structures, and political opportunity. I concluded California and Massachusetts, with their strong networks of anti-testing organizations, showed more instances of protest than any other state. Slightly fewer protests occurred in New York. Texas showed few instances of anti-testing protests and there were no reports of protests in South Carolina. There was evidence of framing efforts from both proponents and opponents of high-stakes testing, with proponents' framing efforts tending to be more covert. I found that anti-testing protests were primarily initiated by middle-class and affluent groups of citizens, who demonstrated greater political access but whose major concerns differed by state. Evidence showed that although all five states have Republican governors, protests

emerged more readily in the three states whose legislatures had a Democratic majority. I found that protest efforts were inhibited when protesters faced serious consequences as a result of their actions. In addition, state political leaders began to take part in the anti-testing protest movement once the state became subject to sanctions under the strict performance requirements imposed by No Child Left Behind. Overall, the political process model proved to be a highly efficient analytical tool in this context.

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CHAPTER I

INTRODUCTION

[T]he plasticity of the young presents a temptation to those having greater experience and hence greater power which they rarely resist. It seems putty to be molded according to current designs. That plasticity also means power to change prevailing custom is ignored. Docility is looked upon not as ability to learn whatever the world has to teach, but as subjection to those instructions of others which reflect their current habits. To be truly docile is to be eager to learn all the lessons of active, inquiring, expanding experience. The inert, stupid quality of current customs perverts learning into a willingness to follow where others point the way, into conformity, constriction, surrender of skepticism and experiment. When we think of the docility of the young we first think of the ways of acting they want to reproduce. Then we think of the insolent coercions, the insinuating briberies, the pedagogic solemnities by which the freshness of youth can be faded and its vivid curiosities dulled. Education becomes the art of taking advantage of the helplessness of the young; the forming of habits becomes a guarantee for the maintenance of hedges of custom.

John Dewey, 1922

In a democracy, skepticism and independent inquiry are not only vital intellectual tools for developing young minds, as Dewey so eloquently implies, but are the social responsibility of researchers who wish to protect democratic practices in education for future generations. This responsibility requires that researchers remain ever cognizant of social and political influences that may pose a threat to democratic practices. Recently, prominent authors such as Michael Apple (2000), Carl Glickman (2001), and Aronowitz and Giroux (1993) have warned of such a threat: as educational policies and practices have become engulfed by the silent tsunamis of neo-liberal economic ideology and neo-conservative politics in the past two decades, the prevailing tendency has been to view education in economic terms. That perspective --- "silent" in that it is rarely acknowledged or discussed by practicing public educators or in college teacher education programs --- employs such market principles as privatization, economic

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exclusion, centralized controls, and external accountability. Such a perspective would view schools as the "handmaiden of the economy" (Cuban, 2002), while ignoring society's responsibility for the social problems that inevitably sabotage students' equity of opportunity (Aronowitz & Giroux, 1993, p. 202). The threat has manifested itself in the standards and testing policies that have taken root across the country at an unprecedented level. Cloaked in the tangled veil of democratic rhetoric shared by policy-makers at all points on the political spectrum, standardized testing is peddled as a means of ensuring the "soundness" of education and equity of academic access for traditionally marginalized populations.

However, a complex and volatile socio-political dynamic has emerged in the educational arena that warrants the attention of researchers. Grass roots efforts to fight the standards movement are popping up throughout the country (Ohanian, 2001). As early as 2001, an "anti-testing movement" was being acknowledged: "The boycott is part of a nationwide movement against the tests" (CNN, 2001). Nation-wide organizations, such as the Assessment Reform Network, FairTest: The National Center for Fair and Open Testing, Students Against Testing, Pencils Down, and the Alfie Kohn Organization, have emerged to address these issues. Writing for the *Dallas Morning News*, William McKenzie (2001) acknowledges that many stakeholders are complaining about the overuse of state tests. Outspoken author and educator Alfie Kohn (2000) warns about the "plague sweeping through America's schools, wiping out the most innovative instruction and beating down some of the best teachers and administrators" (Kohn, 2001, p. 1). Writing for the *AERA Newsletter*, Beverly Gordon cautions, "Through the insistence on high stakes or proficiency testing as a means of advancing our

national competitive edge in world markets, American education is in danger of devolving into a punitive, hierarchical and unforgiving tournament that winnows and sifts students as if they were the wheat and the chaff" (Gordon, 2000, p. 1)

Even former Dallas Independent School District Superintendent Mike Moses (also a former Texas Education Commissioner appointed by George W. Bush) publicly voiced his concerns about the new TAKS test and requested that school board trustees support a resolution in protest of the test to the State Board of Education (*Dallas Morning News*, 2003). For such a high-profile, politically conservative individual to speak openly against standardized testing policies is a critical sign of unrest, especially in a state that has tended to *lead* the standards and accountability movement. According to FairTest (2004), twenty-three states report efforts to opt out of NCLB funding requirements. McNeil and Valenzuela (2001, p. 149) state the "need for independent research into the economic and political forces behind this system of testing and its promulgation across state legislatures and governors (and the business groups and test vendors advising them)." In a Fordham Foundation *Education Gadfly* editorial, Jim Fedako says, "Cries for change will be loud and only the most committed pro-accountability politicians and bureaucrats will withstand the heat" (Fedako, 2004, p. 1). Already the fires of protest against the testing movement have been sparked in many states across the country. However, with the raising of stakes on state-mandated tests, and with the newly added pressures of President George W. Bush's sweeping revisions of the Elementary and Secondary Education Act under his No Child Left Behind Act (NCES, 2002), there exists the potential for a major national protest movement to develop. The emerging dynamic offers researchers a remarkably fertile

opportunity to examine the macrocosm of the American educational system with critical lenses.

The critique of standardization is far from new (McNeil, 2000). However, both the body of political discourse and the body of professional education literature on the issue have virtually exploded in the past several years with books, articles, research studies, and position statements, in which an ever-increasing polarization on standards issues is evident. Qualitative and quantitative studies have been conducted on the effects of standardization and accountability policies on education and its stakeholders (e. g., Walt Haney, 2000; McNeil & Valenzuela, 2000; Amrein & Berliner, 2002, December). Surveys of public opinion regarding the use of standardized tests and the use of "high stakes" have been conducted (Public Agenda, 2000, 2001, 2002). Authors such as Michael Apple, Linda McNeil, Bill Bigelow, Sherman Dorn, Henry Giroux, Stanley Oronowitz, Peter Sacks, Ron Miller, Robert Connell, Deborah Meier, Elliot Eisner --- just to name a few --- have acknowledged and articulated the socio-political dynamics of the issue and have warned of possible serious consequences of current standardization and accountability policies. However, no comprehensive report exists in the professional educational research literature that details protest efforts across the country or offers any theoretical analysis on this issue. Therefore, this study attempts to fill this gap in the research by employing Doug McAdam's political process model for social movements to conduct a theoretical/empirical analysis of the efforts of various individuals and groups across the country to protest standardized testing policies.

Research Questions

Primary Research Question:

- How can framing processes, mobilizing structures, and political opportunity explain variations in anti-testing protest activity from state to state?

A sub-question arising directly from the primary research question:

- What acts of protest such as open verbal challenges, lawsuits, boycotts, strikes, and sit-ins have occurred?

Subquestions arising from the three components of the political process model:

- Framing processes:

    o What is the discourse of proponents of high-stakes testing?

    o What is the discourse of stakeholder protesters and organizations regarding:

        ▪ Concerns/grievances about potential or existing detrimental effects of high-stakes testing?

        ▪ Stakeholder attempts to halt or modify existing high-stakes testing policies?

- Mobilizing structures:

    o What grass roots organizations have demonstrated support to the anti-testing movement?

    o What new or preexisting social and/or political organizations have demonstrated support to the anti-testing movement?

    o What professional education organizations have demonstrated support to the anti-testing movement?

- Political opportunity:

    o How may have state-to-state variations in dropout rates, student ethnicity, unemployment, and poverty affected protest development?

    o How do high-stakes testing issues enter into the political discourse and agendas of state politicians in manners that would indicate:

        - The presence or lack of allies of the anti-testing movement?

- The existence of political access points?

- Divisions on high-stakes testing issues?

- Their concern or lack of concern about how high-stakes testing policies to repress marginalized groups?

  o What external events or conditions appear to have contributed to an increase or decrease in protest activity?

A review of literature in Chapter 2 of this study evidences not only the growing unrest and discontent with various aspects of the issue of standards and testing, but the confusion and disillusionment that has arisen from the ambiguity of terms and concepts such as "standards," "high stakes," and "accountability." Therefore, I clarify the *specific uses* of such terms within certain contexts, how they have been manipulated, and how they have led to confusion. The review includes a comprehensive examination of books, empirical studies, position statements, and editorials that demonstrate the place that existing testing policies hold within the context of the standards movement at large and clarify the *specific aspects* of those issues that are most subject to controversy.

In Chapter 3 I explain how I based this study on an approach described by Robert Yin in his book *Case Study Research* (1994). Yin discusses the use of *multiple case studies* for the purpose of supporting or supplementing a particular theory --- what he calls *literal replication* (1994, pp. 44-52). I discuss my prediction that applying McAdam's political process model to multiple cases would yield possible explanations of variations in protest activity from state to state. I explain how such a comparison of state-to-state protest activities may ultimately predict the conditions that would most likely constitute a "critical mass" that might spur a nation-wide protest.

Although McAdam develops the political process model from a Marxist position, I explain in Chapter 3 why I find a critical theory or neo-Marxist perspective to be more

applicable to this study. Then I elaborate on the nature of McAdam's political process model and how I apply its major components:

- ❑ Framing processes are communications between stakeholders that contribute to the evolution of a "shared perception" about 1) the nature of the issue at hand, 2) the nature of issue's effect on the stakeholders, and 3) their ability to enact change successfully.

- ❑ Mobilizing structures are social and/or professional organizations --- often preexisting ones --- that provide what McAdam calls "latent organizational strength" and "latent political leverage" to the masses.

- ❑ Political opportunity refers to changes in the overall political climate and society's political receptiveness towards protest efforts.

Drawing on the major components of McAdam's model, then, the primary research goal of this study is to determine how framing processes, mobilizing structures, and political opportunity might explain variations in anti-testing protest activity from state to state. Thus the dependent variable for the study is anti-testing protest activity, with framing processes, mobilizing structures, and political opportunity serving as the independent variables.

I describe how I first examined the testing policies that exist in all fifty states. This comparison is conducted fairly simply by examining existing studies of such policies (such as Amrein & Berliner, 2002) and by visiting official state education Websites. Examples of categories/sub-categories of testing policies (which will, in turn, generate sub-questions of the primary research question) considered are:

- ❑ The nature of standardized tests in various states (For example, does it test basic skills? Or, does it test on an application, analysis, evaluative, or synthesis level?)

- ❑ The nature of attached "stakes" (Must a student pass a test to graduate? Are low-performing schools sanctioned?)

- ❑ How are standardized test scores *used* in different states (For example, are results compared district-to-district, child-to-child)?

Then I examine media reports occurring between 1985 and 2005. I focus on newspaper and Internet articles, looking for various levels of protest behavior to be considered such as:

- ❑ Written position statements (For example, what do the state and local professional organizations have to say about testing policies? Local officials?)

- ❑ Open verbal challenges to local, state, or national education institutions by parents, teachers, or organizations (What segments of society are most vocal? What is their political affiliation? What is their mode of communication?)

- ❑ Lawsuits

- ❑ Boycotts, marches, strikes, and sit-ins (What segments of society participate in this level of activity? What particular circumstances pushed them to this point?)

These serve as the main analytical categories for conducting a more in-depth content analysis of documents and reports related to anti-testing protest activity from a cross-section of states that represent low, moderate, and high levels of protest activity.

In Chapter 3 I also explain why the Internet serves as my primary source of data regarding recent protest developments and how I used it. I elaborate on the limitations of using the Internet as a source as well as the need to verify, supplement, and clarify data gleaned from on-line documents and reports by conducting on-line, telephone, and/or face-to-face interviews with key figures in the protest movement.

In Chapter 4, I begin to assemble the puzzle by organizing reports on protest activities across the country according to the levels of protest outlined in Chapter 3. I explain my findings on how protest activities relate to the political climate of the state (based on general statewide demographics, economic well-being, political leanings, and mandated testing policies). I describe how McAdam's political process model explains or fails to explain acts of protest and the relationships and variations that become evident.

In the final chapter I evaluate the utility of McAdam's model in explaining anti-testing protest activity. I draw conclusions from patterns that emerged during the analysis, offering additional theoretical explanations where necessary. Finally, I discuss the ramifications of patterns found in the study and how they might be utilized to influence educational policy in the future.

Definition of Terms

Because I demonstrate later how some of the critical terms of this study have confused the issues and have been exploited to manipulate perceptions of issues, I offer only brief, general definitions of the terms here.

- Curriculum standards --- A set of philosophical principles and *general* recommendations designed to serve as a guide for state and local educators to use for curriculum design; usually developed by a collaborative group of professionals in the subject (example: The National Council of Teachers of Mathematics [NCTM] Standards).

- Standardized curriculum --- A set of subject- and grade- specific curriculum components (usually mandatory) designed to control uniformity of curriculum content across a state or district.

- Standardized testing --- Testing that is developed to be uniform in its content and delivery across a given population (Examples: National Assessment of Educational Progress [NAEP], Iowa Test of Basic Skills, Scholastic Achievement Test [SAT]).

- Stakes --- The consequences attached to standardized test scores by policy makers (Examples: program placement, grade promotion, graduation, stipends, sanctions). The term "high stakes" refers to those consequences considered to be relatively life altering.

- Stakeholders --- Those individuals whose lives are most affected by the consequences of student performance on standardized tests (parents, teachers, administrators, and the students themselves).

- Accountability --- The concept that participants in the education process --- namely students, teachers, and administrators --- should be held responsible for student achievement.

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- Protest --- An act of resistance or "An individual or collective effort or display of disapproval" (Morris, 1970, p. 1052)

- Social movement --- The "organized efforts, on the part of excluded groups, to promote or resist changes in the structure of society that involve recourse to non-institutional forms of political participation" (McAdam, 1982, p. 25).

- Framing processes ---- communications between stakeholders that contribute to the evolution of a "shared perception" about the nature of the issue at hand, the nature of the issue's effect on the stakeholders, and their ability to successfully enact change.

- Mobilizing structures --- social and/or professional organizations that provide political strength and leverage to the masses.

- Political opportunity --- refers to the spatial/temporal convergence of social and political forces favorable to protest efforts.

Limitations of the Study

The issue of the standards and accountability movement in America has grown so large that a researcher could fill an entire library with studies on different aspects of the issue. There are currently hundreds of articles to be found in the professional literature and dozens of books written on the issue. As it stands, this study proved to be a huge undertaking. For the sake of manageability, I limited my resources, my focus, and my questions.

A preliminary perusal of education literature abstracts led me to eliminate some sub-topics of the standards and testing issue from consideration. For example, I find no reason to include pro-standards or pro-testing statements, as these policies have already been institutionalized. It is sufficient to present background information on the evolution of these policies within their socio-political context. Although I present summaries of recent qualitative studies on the views of teachers, students, and parents on standardized testing issues for the purpose of establishing evidence of wide-spread

discontent, I find no reason to waste resources conducting additional interviews unless those individuals are actively engaged in some open act of complaint or protest against these policies.

Although it would be most interesting to examine the emergence of anti-testing protests in all of the states in which protests have occurred, I must be practical and limit my analysis to three states in which the most protests have occurred and the two states with high-stakes testing in which few protests have occurred. After preliminary examination of data, the three states in which the most protests have occurred are California, Massachusetts, and New York. I report on protests that have occurred in those three states, noting factors that may have promoted the development of protests in those states. Likewise, I analyze factors that may have inhibited protest activity in Texas and South Carolina, two states with relatively few protests that have been identified as having a relatively higher number of consequences or stakes by Amrein & Berliner (2002a, p. 18; 2002b, pp. 3-5).

It remains to be seen as to whether the political process model will generalize efficiently to all fifty states. Also, in spite of the fact that the anti-testing movement itself is in the formative stages, I have, for the sake of practicality, limited my analyses to the period of time between January, 1985 and December, 2005. I must acknowledge that analyzing such recent events will limit the advantages of hindsight. However, I have been compensated by the excitement of watching circumstances unfold before my eyes.

For theoretical considerations I have limited my focus to include only such analysis of the larger standards and accountability movement as is necessary to clarify

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the context of the anti-testing movement. Consequently, it was necessary to choose a working definition of social movements that would be consistent with this narrower approach. Rather than utilizing a broader definition of a social movement, such as John Wilson's (1973) as "a conscious, collective, organized attempt to bring about social change," I have chosen the narrower definition of social movements (see McAdam's definition above) that excludes public interest lobbies and formal interest groups (McAdam, 1982, p. 25). The effect of having chosen this narrower definition has been to abandon my view of anti-testing activities as a *counter-movement* to the larger standards and accountability movement. By the broader definition, the standards and accountability movement could certainly be viewed as a powerful norm-oriented social movement itself and has been treated as such by authors Michael Apple (2000) and Jean Ballantine (1993). But by adopting McAdam's narrower definition, I am able to examine anti-testing activities as a social movement per se, thus facilitating the application of McAdam's political process model's components.

Finally, it is not the intent of this study to reform testing policies across the country or to argue their benefits or dangers. Instead, the intent is more to use the standardized testing issue as a *vehicle* to shed light on the social dynamics that are at work in the creation of *all* educational policy. Although it would be unwise to insist that my own experiences as a teacher in an age of strict standards and accountability will not color my perspective to some degree, I have made every attempt to conduct my analyses of these dynamics objectively.

CHAPTER II

LITERATURE REVIEW

Introduction

In this chapter I provide a rationale for using a sociological perspective, and primarily the political process model, to understand the highly complex issue of the standards and accountability movement. I use examples from both the sociological and the educational literature to clarify the sociological context within which the anti-testing movement has evolved. Such a context could not be properly understood without first expounding on the economic and political leanings that have formed a philosophical seedbed for educational policies over the last quarter century. Therefore, to aid the reader in tracing the steps in the evolution of standards and testing policies, I present evidence from the literature for how the agendas of a newly formed political alliance have influenced public education perspectives and policies during this time period. I also present examples from the literature of how terminology may have often swayed and misled a naïve public into supporting questionable practices over the years. I include examples from the education literature and social movement literature that demonstrate the role of terminology in the "framing process" that is so crucial to McAdam's political process model. I then report on the current status of standards and accountability policies across the country. Finally, I present a cross-section of literature that outlines the wide range of current perspectives on various aspects of standards and testing issues, and clarifies the *specific aspects* of those issues that educational professional organizations have openly opposed.

Rationale for the Use of a Sociological Perspective

It is tempting to begin a review of literature for a study involving high-stakes testing --- as many authors do (for example: Ashworth, 1990; House, 1991; Shepard, 1991; Barksdale-Ladd and Thomas, 2000; Ladd and Thomas, 2000; Meier, 2000; Smith and Fey, 2000; Eisner, 2001; Orfield and Kornhaber, 2001; Popham, 2003) --- with a discussion of the profound impact that the 1983 report *A Nation at Risk* had on standards and testing policies in American education. However, Giroux (1983), Ballantine (1993), Miller (1995), Hauser (1999), Sacks (1999), Apple (2000), McNeil (2000), Kuehn (2001), Amrein and Berliner (2002), and Heuber and Huerta-Charles and Pruyn (2004) acknowledge a broader and more far-reaching social, political, and economic context for the standards and accountability movement. That context subsumes a sociological perspective that views education as an institution of the society at large. As Huerta-Charles and Pruyn (2004) say, "Learning is a socially and culturally constructed activity. It is shaped and determined by social, economic, cultural, political and historical factors, which are interwoven by hegemonic discourses through social practices, institutional norms and rules used by dominant groups in molding peoples' subjectivity" (p. 1). Although the defined roles, functions, and objectives of education may differ within varying theoretical perspectives, its connectedness to society and its inherent reflection of social values is hardly a matter of theoretical debate in sociology.

The debate over *who* will decide *what* values will be taught and *how* they will be taught is central to a sociological perspective of education. Miller (1995) explains that although the education process in more primitive societies took place "organically in the daily interactions between youths and adults," education in complex modern societies

has been "thrust into a political context in which opposing values and ideologies contend for supremacy" (p. 3). Miller notes that for the past 150 years education has been used "as an agency of intellectual, cultural, and moral uniformity, as a means of imposing one or another cultural perspective on the lives of young people and their families" (p. 3-4). That role is even apparent in Peters' early text on educational sociology, in which he describes the function of primary education as providing experiences that "yield chiefly sentiments, biases, attitudes, ideals, which effectively consolidate one with his group" (1924, pp. 35-36).

Several authors (Wirt & Kirst, 1982; Ballantine, 1993; Weis & Fine 1993) have used a political (open) systems approach to analyze the social contentions that arise in the creation and administration of education policy. Ballantine describes the inevitable contentions as products of constant internal and external pressures resulting in educational social movements that reflect various social value trends. In *Schools in Conflict: the Politics of Education,* Wirt and Kirst (1982) describe how this model views the school as a political system whose policies emerge as a result of various societal inputs to the system. These inputs come in the form of both support for current policy and demands for policy reform. The system responds through decisions, policies, and actions (outputs), which may take the form of mandates, inducements (grants), capacity building efforts (staff development), or system changing (restructuring) efforts.

I would argue, however, that such systemic response is *selective.* Because the lifeblood of a political system is societal support, its stability depends greatly on its tendency to facilitate *hegemonic* inputs in order to preserve the status quo. Wirt and Kirst (1982) discuss this dynamic in their chapter on systems analysis:

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The political system converts such inputs, sometimes combining or reducing them into public policies or outputs. Clearly not all demands are converted to policy, for the political system is more responsive to certain values, those dominant in the conversion process and its personnel and in the larger society. What inputs get through depends upon which it frustrates and upon the values of the political authorities operating within this flow of inputs (p. 36).

As a sort of political "survival mechanism," then, the system may construct *structural barriers* to certain societal inputs. These barriers are rarely tangible. Instead they are *implicit* in the system's *lack of response* to the inputs of certain societal subgroups that often stand to lose the most under the effects of a given policy. These barriers tend to manifest themselves in attitudes that discredit the input of certain subgroups. As Wirt and Kirst (1982) explain:

> Policy implementation can enhance the safety, income, and status of some persons while it also detracts from those of others. A resulting profile of public policy, while varying with the culture and times, will mirror the structure of power and privilege and tells us much about what values currently dominate the political system (p. 37).

An excellent example of that dynamic is given in "Dropouts and the Silencing of Critical Voices" by Jeanne Ellsworth and Robert Stevenson (1993). Their study of white working-class dropouts revealed that the opinions and suggestions of such individuals tend to be dismissed as "deviant" by the system and therefore ignored when designing policies intended to reduce student attrition. As a result, they assert, many dropout-reduction programs are ineffectual and may actually contribute to the failure of at-risk students, creating a no-win cycle.

This study focuses on 1) the social mechanisms employed by such silenced subgroups in their attempt to overcome social barriers, 2) the social structures that promote their success at overcoming social barriers, and 3) The ability of the political system to resist or accommodate their demands for change. This focus implies the need

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for a further analytical assumption: that "the organized efforts, on the part of excluded groups, to promote or resist changes" (McAdam, 1982, p. 25) in an *educational* context represent social movements in the true sociological sense of the word, thereby inviting the application of social movement theory.

Several authors promote such an assumption. For example, Aronowitz's and Bologh's (1983) perspective is that "schools are complex organizations whose relation to the larger society is mediated by, among other things, social movements; these have their own agendas, which help determine the configuration of school life" (as cited in Giroux, 1983). Although Ballantine (1993) stops short of applying social movement theory, she devotes an entire chapter of her book *The Sociology of Education: A Systematic Analysis* to the discussion of education movements and reform movements such as the progressive education movement, the alternative education movement, and the accountability movement. Sacks (1999) refers to the "anti-testing movement" and presents a brief discussion of protest developments against standardized testing since the late 1970s. However, it is Michael Apple (2000) who lays the smoothest road for analyzing standardized testing policies and anti-testing protests in terms of social movement theory:

> Long-lasting transformations in education often are shaped not by the work of educators and researchers, but by social movements that push our major political, economic, and cultural institutions in specific directions….The means and ends involved in educational policy and practice are the results of struggles by powerful groups and social movements to make their knowledge legitimate, to defend or increase their patterns of social mobility, and to increase their power in the larger social arena (p. xi and p. 9).

Furthermore, he elaborates extensively on the socio-political context for the evolution of the standards and accountability movement. Without any explicit mention of social

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movement theory, his presentation of details of the present context could, in some parts

as will be detailed later, serve as a direct application of Doug McAdam's "political

opportunity" component of the political process model for social movements.

The Political Process Model

In researching various theoretical models that might apply efficiently to the study

of the anti-testing movement, I first considered using the political systems model. What

the political systems analysis model fails to address, however, is the *actions taken*

outside of the educational system by those excluded groups attempting to override or

subvert the structural barriers in their attempts to exert greater influence over policies

they perceive to be detrimental. For such considerations, I knew I must turn to the social

movement literature. In examining a cross section of social movement theories, I found

that Doug McAdam's political process model seemed to reflect the explanatory

strengths of the political systems model in regard to the selectivity of systemic

responses. McAdam (1982) draws from Gamson (1975) and Tilly (1978) in describing

his political process model as being "based on the notion that political action by

established polity members reflects an abiding conservatism" (p. 38), in that established

"members" of the institutionalized system will make every effort to resist the entry of

"challengers" into the system and to discourage their attempts to organize.

However, McAdam's model takes the issue further by explaining the rise of

insurgent activity on the part of excluded groups in terms of their latent political

organizational strength, their "insurgent consciousness" (p. 40), and their rising political

opportunities. His model seemed to provide a framework with which I could analyze the

various levels of anti-standardized testing protest activities as they have occurred from state to state.

Doug McAdam's political process model for social movements grew out of his dissatisfaction with two widely accepted models for the study of social movements: the classical model and the resource mobilization model. Each of those models "imply a more general model of institutionalized power" (McAdam, 1982, p. 36). The classical model, for example, is based on a pluralist view of society --- one that assumes a wide distribution of power "between a host of competing groups rather than concentrated in the hands of any particular segment of society" (p. 5). Consistent with such a perspective of political power, the classical model would analyze social movements in individual psychological terms, viewing social movements as pathological responses to perceived social dissonance. Under this model, McAdam says, any political action by excluded groups against the system would amount to "political suicide" (p. 6), and would hardly explain the political success and influence of powerful social movements.

In contrast, the resource mobilization model is based on an elite view of society, a view that assumes that a disproportionate amount of power rests with an elite few, leaving the lower classes powerless to effect change. Under this perspective, social movements would be viewed as political rather than psychological in nature. McAdam disagrees with the model's assumption that insurgent groups lack indigenous resources and must gain support of the elite in order to mobilize, an assumption that fails to acknowledge the "power inherent in disruptive tactics" (p. 30) applied outside of established institutions. McAdam's political process model draws on some of the assumptions of an elite model of political power in that it acknowledges that the wealth

of power rests with an elite segment of society. However, McAdam diverges from the elite perspective's assumption that excluded groups are entirely dependent upon the support of elite groups. He instead emphasizes a more Marxist perspective that acknowledges the "power disparity between elite and excluded groups" (p. 37), and that emphasizes the "latent political leverage" of the masses (p. 37). From that perspective, McAdam understands conflict as inherent to society, emphasizing the exploitation of the masses by the capitalists.

However, a Marxist perspective also assumes that competition for scarce economic resources is the sole cause of that conflict. The assumption that social change occurs only as a result of competition for limited resources and that class struggle occurs only within the confines of the labor process fails to address key ideological issues of stakeholders in my study such as:

- The disagreement over the causes of gaps between *desired* and *actual* achievement

- The disagreement over curriculum content (such as creationism vs. evolution)

- The disagreement over the consequences of failure to meet standards in educational accountability systems (such as using tests as graduation requirements)

I concluded that a critical theory (neo-Marxist) approach would better accommodate my study because of its inherent assumptions that researchers should:

- Remain *self-reflective*

- Take an i*nterdisciplinary* approach

- Consider all educational policy as *political*

- Blend both *positivist* and *interpretivist* approaches (would view perceived social realities as dependent upon their social/historical contexts, but

would recognize the material influences of those realities once constructed (Gephart, 1999)

- Seek out and analyze apparent *contradictions* (such as the contradiction between the intentions of testing policies and their actual effects)

- Seek *transformation* out of those contradictions (Giroux, 1983, pp. 8-9)

Over the years since McAdam introduced his model to explain the rise of black insurgency (McAdam, 1982), its original components, including latent political organizational strength, insurgent consciousness, and political opportunities, have evolved into a refined model that includes 1) framing processes, 2) mobilizing structures, and 3) political opportunity. This refined model has stood the test of many analyses (see McAdam, McCarthy, & Zald, 1996, p. 1-20; Swidler, 1995, p. 39; Tarrow, 1998, p. 19). Tarrow (1998), for example, argues that the model's analytical strength stems partly from the fact that it "proposed an answer to the question that dogged previous approaches: why does contentious politics seem to develop only in particular periods of history and why does it sometimes produce robust social movements and sometimes flicker out into sectarianism or repression" (p. 19). The political process model, which forms the framework for my analysis, fits well within an over-arching critical theory approach to the considerations of this study.

For operational purposes in this study, I define framing processes as communications between stakeholders that contribute to the evolution of a shared perception about 1) the nature of the issue at hand, 2) the nature of the issue's effect on the stakeholders, and 3) their ability to enact change successfully. This definition is consistent with the perspectives of McAdam, McCarthy, and Zald (1996) who define framing processes as "conscious strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective

action" (p. 6). Tarrow (1998) elaborates on framing processes as they relate to his

discussion of consensus mobilization and the formation of group identities:

> Framing not only relates to the generalization of grievance, but defines the 'us' and 'them' in a movement's conflict structure. By drawing on inherited collective identities and shaping new ones, challengers delimit the boundaries of their prospective constituencies and define their enemies by real or imagined attributes or evils. As much as through the content of their ideological messages, they do this through the images they project of both enemies and allies. This means paying attention to the 'costumes' collective actors don as they appear on the public stage as well as to the ideological framing of their claims. (pp. 21-22)

McAdam (in McAdam, McCarthy, and Zald, 1996, p. 6) identifies six strategic

hurdles that must be overcome through framing strategies if movement participants are

to induce social change:

- Attract new recruits

- Sustain the morale and commitment of current adherents

- Generate media coverage, preferably, but not necessarily, of a favorable sort

- Mobilize the support of various "bystander publics"

- Constrain the social control options of its opponents

- Ultimately shape public policy and state actions (pp. 339-340)

Examples of how framing processes occur within the context of the anti-testing

movement can be found in the words chosen for titles of books, chapter headings,

names of organizations, etc. by opponents of testing: "One Size Fits Few," "Burnt at the

High Stakes," "Californication," "Fighting Back," "Standardized Minds," "Rescuing our

Schools from Tougher Standards," "Raising Standards or Raising Barriers," "SCAM,"

"No Child Left Untested," and "The Rich Get Richer, the Poor Get Ignored." These titles

represent deliberate attempts to sway the public into viewing testing proponents as an

"enemy" of civil rights, intellectual freedom, and educational equity and quality. In an attempt to promote what McAdam (1982) calls "cognitive liberation" (p. 35) (the belief that oneself or one's group has the power to affect change), suggestions for how they might take action against high-stakes testing policies often accompany such communications.

Mobilizing structures are social and/or professional organizations --- often preexisting ones --- that provide what McAdam (1996) calls "latent organizational strength" and "latent political leverage" to the masses (p. 3). They can refer to any "collective vehicles, informal as well as formal, through which people mobilize and engage in collective action" (p. 3). Examples of such structures that would pertain to the anti-testing movement are:

- professional organizations such as National Education Association, American Educational Research Association, American Federation of Teachers, as well as their state and local affiliates

- organizations that have developed with the purpose of fighting high-stakes testing policies such as Fairtest, Assessment Reform Network, Pencils Down, California Coalition for Authentic Reform in Education, Massrefusal, Students Against Testing, Time Out From Testing, and the New York Performance Assessment Consortium

- Long-standing civic organizations such as the NAACP and American Civil Liberties Union

- Local churches and PTAs

- Informal gatherings in private homes or public facilities

Political opportunity refers to the spatial/temporal convergence of social and political forces favorable to protest efforts. McAdam (1996) presents a list of dimensions of political opportunity that he has synthesized from the perspectives of four other authors:

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- The relative openness or closure of the institutionalized political system

- The stability or instability of that broad set of elite alignments that typically undergird a polity

- The presence or absence of elite allies

- The state's capacity and propensity for repression (p. 27)

However, in order to accommodate the context of this investigation, I found it more useful to digress somewhat from McAdam's synthesis and incorporate some of the simpler and more specific dimensions conceived by the other authors. Therefore, my working list draws from various authors to describe the dimensions of political opportunity in terms of fluctuations in:

- The presence of allies

- Existence of political access points

- Levels of repression of marginalized groups

- Degrees of openness of the polity

- Divisions within the elite

- The state's policy implementation capacity (p. 27)

Another aspect of political opportunity involves *external forces* that affect the overall political system's capacity for policy implementation. McAdam (1996) affirms the assumption of Lipsky that, "The ebb and flow of protest activity was a function of changes that left the broader political system more vulnerable or receptive to the demands of particular groups" (p. 23). Explaining conditions that might bring about such fluctuations, McAdam (1997) says, "Among the events and processes likely to prove disruptive of the political status quo are wars, industrialization, international political

realignments, prolonged unemployment, and widespread demographic changes" (p. 176). Pertaining to this study, a striking example of protest fluctuation would be the dramatic decline in anti-testing activity for many months following the events of September 11, 2001.

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Evolution of Standards and Accountability Policies

in American Education

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As alluded to previously, a study of high-stakes testing issues requires an understanding of the highly complex relationships between historical developments in education and the social, political, and economic influences on these developments. Standardized tests were used long before standardized curriculum and accountability policies were considered, and this use has itself created controversy. Further complicating the issues were the framing effects that *A Nation at Risk* had on the public's perception of education. Perhaps the most complicating factor, however, is the apparent realignment of political loyalties and issues over the past two decades. This section elaborate on these factors and their influences on the development of high-stakes testing policies as they exist today.

Evolution of Standardized Testing

Sacks (1999) notes America's practice of using standardized test scores for selection and comparison purposes for no less than 150 years. He reports that Horace Mann supervised the administration of a standardized test for public school students in the mid-1800s in response to complaints that Massachusetts' schools were in need of

improvement. He notes that according to the U.S. Office of Technology Assessment, this early test was not only highly questionable in terms of the validity of its content, but in the ways its scores were used to make invalid comparisons between districts and to confirm politicians' claims that the schools were substandard (pp. 69-73).

Sacks (1999) describes how the industrial revolution, with its accompanying waves of European immigrants, molded the American perspective that schools were the country's chief means of achieving social order. He asserts that standardized tests were seen as a tool for sorting out the "intellectually weak from the cognitively strong" (p. 73), and were often used to validate existing class and ethnic divisions in determining who would get into college and who would be accepted into the military. Elaborating on the issue, Popham (2001) explains how the American Psychological Association developed the first group-administrable intelligence test, called the "Army Alpha," to expedite personnel selection processes during World War I, and asserts that the assessment strategy became the "template for almost all of the nation's subsequent standardized testing, irrespective of whether that testing was supposed to serve as an aptitude assessment or an achievement assessment" (pp. 40- 42). Within America's burgeoning meritocratic mentality, Sacks (1999) explains, the invention of the multiple choice tests and scanning machines allowed "the full expression of the ideologies behind testing, permitting the social objectives of measurement, classification, and control to be carried out quickly and relatively inexpensively, sweetened by the patina of scientific objectivity" (p. 73). An emerging testing industry gave rise to thousands of standardized tests and IQ tests within the first quarter of the twentieth century. By the 1960s, says Sacks, America had become obsessed with student test performance and had adopted a

"reductionist view of the complex endeavors of teaching and learning as little more than adding up all the test scores and dividing by the numbers of test takers" (p. 74). Popham and Sacks separately describe how the well-intentioned Title I program further served to "federalize" the use of standardized achievement tests by establishing the *routine* administration of often-misaligned ready-made tests and then tying federal funds to the nationally norm-referenced scores.

A Nation at Risk

The early 1980s found America in a serious recession. With already weakened local tax bases, the country was further crippled by the conservative Reagan administration's cutbacks in federal expenditures (Giroux, 1993). School districts throughout the country struggled to survive severely diminished resources. In the midst of such dire economic straits in 1983, the National Commission on Excellence in Education, under Education Secretary Terrence H. Bell, made its report to President Ronald Reagan --- a report that has continued to influence the tide of educational policy for nearly two decades. Using what Gerald Bracey describes as "cold warrior rhetorical flourishes" (1999, p.1), the report claims that, "...the educational foundations of our society are presently being eroded by a rising tide of mediocrity."

Of interest, Sacks (1999) notes, is the fact that nine of the Commission's thirteen "indicators of risk" were themselves based on standardized test scores (pp.75-77) --- scores which Bracey (1999) asserts were applied subjectively and resulted in faulty inferences. For example, Bracey describes the Commission's biased selection of science achievement scores and the inappropriate application of data to imply negative

achievement trends. Bracey further cites the Commission's removal of crucial

"indicators" from the turbulent social and demographic context of the time. He also

notes that as Secretary of Education under Reagan, Terrel Bell himself later admitted

that the Commission's intent was "not to objectively examine the condition of American

education, but to document the terrible things that Bell had heard about schools"(p.1).

In spite of what Sacks calls the Commission's "ill-formed logic" (1999, p.77), the

Commission called for schools to "adopt more rigorous and measurable standards" and

recommended that educators be held responsible for their results. Calling the report "a

marvel of alarmist propaganda," Sacks asserts that the report represented one of the

Reagan administration's many "magic bullets" for curing the economic woes of the time

(pp. 75-77). As to the report's impact, Sacks claims:

> Indeed, Risk galvanized the fledgling accountability movement, transforming it into a national project with purported national security implications. It gave focus, emphasis, and credibility to the movement's disparate manifestations occurring through various state accountability experiments beginning in the 1970s --- even as these early accountability devices were proving to be of dubious merit…Testing and accountability were now on the same shelf as mom and apple pie. Testing and accountability were rendered virtually undebatable, and became the essence of the meaning of school reform *(pp. 77-79).

In similar remarks, Cuban (2002) describes the *Nation at Risk* report as a symbol of the

growing belief over that past quarter century that public schools were obligated to

contribute to American success in the global economic arena. This belief accompanied

an assumption on the part of civic leaders and policy makers that the way to accomplish

their goal was to apply business principles to education policy. Cuban states:

> The idea of national goals, the notions that we need more efficiency in the conduct of schooling, that schools have to be more accountable, that you need a bottom line --- these ideas all stem from the impulse to make schools a handmaiden of the economy (p. 8).

Influences of the "New Hegemonic Bloc"

In "Education and New Hegemonic Blocs: Doing Policy the 'Right' Way" (1998), Michael Apple describes how the atmosphere of panic and reaction over the state of American education has been perpetuated in recent times. No longer can one characterize political influences on education under the simple dichotomy of liberal or conservative, he asserts. He describes how a powerful, complex, right-leaning alliance between seemingly contradictory political factions has emerged to form what he terms the "new hegemonic bloc" that is directing educational policy away from egalitarian norms and values. The components of the alliance, he says, "include neo-liberals, neo-conservatives, authoritarian populists, and a particular fraction of the upwardly mobile new middle class" (p. 183).

Exerting the most influence, Apple claims, are the neo-liberal and neo-conservative elements. In fact, Stuart-Wells (1998) asserts, "One of the most obvious targets of neo-liberal ideology and reform is our state-run public educational systems" (p.2). According to Apple (1998), the neo-liberal perspective, guided by an "economic rationality," views students as human capital, and public schools as economically accountable to the consumer. With such an emphasis on the role of the citizen as a consumer who has a right to a quality, cost-effective product, the neo-liberal ideology supports not only strict accountability policies but also voucher policies. Such voucher policies would allow the consumer to choose the school whether public or private that the consumer believes provides the best educational product for the dollar, with standardized test scores providing consumers an "efficient" gauge of quality (pp. 183-184).

Kuehn (2001) asserts that neo-liberal educational policies are being carried out through the vehicles of "ideology, international trade and investment treaties and agreements, and international agencies, particularly the International Monetary Fund and the World Bank institutions" (p.3). According to Apple (1998), the prevailing ideology is one that reduces the American citizen to a raceless, classless, genderless consumer who is wholly responsible for what s/he "buys" (p. 184). He explains that even though such an approach may appear on the surface to provide marginalized groups hope for better education, its actual effect is to shift society's focus away from considering the effects of hegemonic policies on poor and marginalized groups (p. 184). Apple cites empirical evidence from Whitty et al (1998) that the market/consumer approach to education tends to exacerbate existing social stratifications and inequalities, perpetuating what he calls "educational apartheid" (p. 185). Stuart-Wells (1998) likewise points out that neo-liberal policies weaken teachers' unions and "tend to increase racial, ethnic, and social class segregation at the school level" (para. 8). As Larry Kuehn (1999) says:

> When education is seen as largely in the public rather than private interest, it is more likely to have a range of social and cultural objectives, along with the economic. When it becomes privatized and part of the market, social and cultural concerns become much less important, unless they can also be seen as part of the market system. Of most threat to neo-liberal policies, however, is a populace that is educated to expect a democratic society that serves the interests of that society, rather than the interests of global capital. By eliminating public education and the set of social expectations that it produces when it is working at its best, the likelihood is reduced that a populace will demand that its government place the highest priority on protecting the social and cultural interests of its people. (section 2, para. 9-10)

In discussing the conservative alliance's second most influential element, neo-conservatism, Apple (1998) describes the ideology as being "guided by a vision of the

strong state" (p. 189). With its focus on traditional values and ethics, Apple says, it

romanticizes the social norms of the past:

> Among the policies being proposed under this ideological position are national curricula, national testing, a 'return' to higher standards, a revivification of the 'Western tradition', and patriotism. Yet, underlying some of the neo-conservative thrust in education and in social policy in general is not only a call for 'return'. Behind it as well --- and this is essential --- is a fear of the 'other'. This is expressed in its support for a standardized national curriculum, its attacks on bilingualism and multiculturalism, and its insistent call for raising standards (p. 190).

Crucial to the proposed study is Apple's assertion that neo-conservatives, in their push

for national curricula and testing, have compromised with the demands of

multiculturalists by promoting a white-washed version of history that views America as a

nation of immigrants but ignores significant parts of history such as slavery and the

eradication of Native American cultures. Such a perspective fails to acknowledge the

residual effects of past (and ongoing) social oppression on certain groups. Indeed,

when it comes to standardized testing, the neo-conservative viewpoint would assume

that white European immigrants who migrated to this country voluntarily are on equal

footing with the descendents of African slaves, who a very few generations ago were

denied the legal right to any education at all. Apple points out that neo-conservative

foundations are reported to have given substantial financial support to the authors of

Herrnstein and Murray's book *The Bell Curve* (1994), a book that attempted to produce

"evidence" of racial variations in intelligence and that Apple (1998) argues "reinforced

racist stereotypes that have long played a considerable part in educational and social

policies in the United States" (p. 193).

Lending strength to the neo-conservative and neo-liberal agendas, says Apple

(1998), are the authoritarian populist religious fundamentalists and the group he calls

the professional new middle class. Although their influence on accountability and assessment policies such as high-stakes testing is perhaps less direct than that of neo-conservatives and neo-liberals, authoritarian populists provide their strong media presence and powerful economic base to the fight over who controls what is taught and how it is tested. They have attempted to control curriculum content across the country by pressuring textbook publishers in states such as California and Texas to accommodate their fundamentalist perspectives of social and moral issues. Also, because what is tested tends to be stressed more strongly in the schools (Popham, 2001), it follows that the content and administration of assessments would become important to their agenda.

In contrast to the neo-liberal, neo-conservative, and authoritarian populists, members of the professional new middle class that Apple (1998) speaks of are not motivated to join the coalition by their religious or socio-political leanings. Apple (1998) reports, "As experts in efficiency, management, testing and accountability, they provide the technical expertise to put in place the policies of conservative modernization" (p. 197). They are, therefore, motivated by the desire to preserve their own class mobility by perpetuating the need for their services.

Current Status of Standardized Testing in American Schools

In January, 2002, President George W. Bush signed into effect the No Child Left Behind Act. Under the requirements of NCLB, each state must develop a state-wide assessment plan that aligns its assessments with state-developed content standards. The states were required to begin testing reading and mathematics in grades 3 through

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8 and in at least one high school grade by the 2005-2006 school year (Kahl, 2003). By the 2006-2007 school year, they were to have such an assessment program in place in high school for science (Kahl, 2003). NCLB *does not* require the high school exams to be linked to graduation. As of June, 2003, all 50 states now have a state accountability system that has been approved by the federal government as being in compliance with No Child Left Behind requirements (U.S. Department of Education, 2003). Each of the five states included in this study now have high school exit exams.

Each state is required to set benchmark goals for determining adequate yearly progress (AYP) (U.S. Department of Education, 2003). In turn, states must report AYP results disaggregated by subgroups according to race/ethnicity, gender, poverty status, English-language proficiency, and disability status (Kahl, 2003). The results must be reported along with data on attendance and dropout rates as well as the percentage of teachers in the state who are classified as "highly qualified" by NCLB standards.

According to information gathered by Amrein and Berliner (2002, March, pp.3-5), twenty-two states offer financial incentives to schools classified by state standards as successful or improved; twice as many states administer punishments as incentives. Amrein and Berliner noted that forty-five states publish school or district report cards as of 2002. The U.S. Dept. of Education now publishes all school, district, and state results on the Internet (see http://www.schoolresults.org/). For a comprehensive view of testing policies across the country, see

http://nces.ed.gov/programs/digest/d05/tables/dt05_149.asp and

http://nces.ed.gov/programs/digest/d05/tables/dt05_150.asp.

As mentioned in Chapter I, the focus of this study is the three states that have had the most protest activity since 1985 (California, New York, and Massachusetts) and two states that have experienced little or no protest activity (Texas and South Carolina). For a comprehensive view of testing policies in those five states, I am including a table that has been compiled from several sources (See Table 3 in Appendix).

The Role of Language, Definitions, and Terminology in the Public's

Perception of Standards and Testing Policies

In Chapter One I offered definitions aimed at helping the reader eliminate the confusion that might come from various connotations of such terms as "standards" and "accountability." However, several authors point to the realization that a social movement analysis of the anti-testing movement must include recognition of how both promoters and opponents of more centralized controls over education have *capitalized* on the confusion between various uses of the terms. In this study, recognition of how and where such language manipulations have occurred becomes a critical factor in analyzing framing strategies used by both the pro-testing and the anti-testing movements. As McCarthy, Smith, and Zald (1996) comment, "Social movements are involved in struggles over meaning as they attempt to influence public policy" (p. 291). In *"*Rhetorical Psychology, Ideological Thinking, and Imagining Nationhood," author Michael Billig (1995) devotes considerable discussion to the importance of language in analysis of social interaction. Billig argues in favor of a "discursive approach" over what he considers to be a more illusive analysis of "attitudes." He prefers analysis based on *observable* language activities, emphasizing the fact that the verbalization of opinions

represents "a social act of communication" that is based on shared meanings (p. 68). He promotes the examination of the *social context* of utterance, with special consideration given to the speaker's intended outcomes of such utterance. Consistent with his approach, Billig asserts, is the assumption that people have "different interpretive repertoires to accomplish different actions" (p. 69).

Furthermore, the influence of the information media on public perceptions of standards and accountability issues and publicly accepted definitions of the issues' various aspects cannot be overestimated. Even though state agencies often impose definitions on aspects of key issues, such definitions often evolve *naturally* out of interactions between members and nonmembers of a movement and *deliberately* through the efforts of movement leaders to manipulate the public's perception of issues through the information media (Johnson, Larana & Gusfield, 1997, in Buechler & Cylke, 1997, p. 284-285). Kuehn (1999) draws from a description by Waters (1995) to assert that transnational media companies have the power to "control the culture and its social arrangements for the production, exchange, and expression of signs and symbols --- meanings, beliefs and preferences, tastes and values…They affect who determines the substance of the curriculum, how education is delivered, who has access to education and to how much, and how what happens in schools is relevant to the cultural experiences of those being educated" (section 1, para. 7-8).

McNeil and Valenzuela (2001) state, "There is at present an enormous gap in vocabulary and in ideology between those who teach and those who set policy. This gap must be addressed if the system is ever to be corrected; that is, if what is known about teaching and learning is ever going to shape large educational systems rather

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than be compromised by them" (p. 149). In *Contradictions of School Reform,* Linda

McNeil (2000) further addresses the issue:

> The language of accountability seems, on a commonsense level, to be about
> professional practice that is responsible to the children and to the public. The
> language of standardization appears to denote equity, of assuring that all
> children receive the same education. Behind the usages of these terms in
> educational policy, however, is a far different political and pedagogical reality.
> "Accountability"…reifies both a resource dependency and a hierarchical power
> structure which maintains that dependency. It further undermines both the public
> voice in public schooling and the public role of schools in democratic life.
> "Standardization" equates sameness with equity in ways that mask pervasive
> and continuing inequalities. Taken together, the increasing use of
> *standardization,* prescriptive of educational programs, and *accountability*,
> equating educational accomplishment with outcomes measures, are restructuring
> public education in two critical ways. First is the shifting of decisions regarding
> teaching and learning away from communities and educational professionals and
> into the hands of technical experts following a political agenda to reduce
> democratic governance of schooling. Second (and particularly serious in its
> consequences for children in light of the success of the magnet schools in
> educating highly diverse students) is the restratification by class and race
> through highly technical systems governing the content and means of evaluation.
> (p. 10)

Thus, the issue of curriculum content becomes "standards" --- a word associated

not only with degrees of uniform requirement, excellence, and attainment, but also with

patriotic symbols and moral character. Likewise, assessment of student progress

becomes "accountability" --- a word that invites comparison of the teaching/learning

process to the production of goods in a corporate context. Words with such broad and

varied connotations become convenient disguises for promoters of tightly-prescribed

curriculum content and the selective awarding of promotions and diplomas. Taken to the

extreme, the potential exists for oppressive and corrupting policies to be so flavored

with upright-sounding terminology that they can be fed without opposition to a naïve

public. Given that 45% of respondents in a 2005 Gallup poll reported they do not know

enough to say whether they support NCLB or not (Rose and Gallup, 2004), it is

understandable that most patriotic-minded citizens would be reluctant to speak out against "higher standards in American education" or the need to hold the education profession "accountable" for its "performance."

Apparently much more than student and teacher careers are at stake in perpetuating public ignorance on the standardized testing issue. Stephen Metcalf (2002) writes about what he calls the "feeding frenzy" of the educational testing industry stimulated by the focus on standards and accountability (p. 2). He explains how the "big three" corporations in the testing industry --- McGraw-Hill, Houghton-Mifflin and Harcourt General ---stand to gain from the public's acceptance of a *market-based* connotation of accountability (p. 2). In another example, Education Commission of the States, whose motto is "Helping state leaders shape education policy," has as its sole source of funding none other than The Educational Testing Service, which is one of the giant corporations raking in an "enormous, tax-exempt annual income" (Monahan, 1998, p. 18) for supplying and administering the standardized tests that are a necessary component of a market-based educational model. With controversy growing over its monopolistic status and the fact that its non-profit status protects it from accountability, ETS is currently being sued by a Pennsylvania teacher for problems with the Praxis II test that ETS developed and administers to teachers (Jacobson, 2004).

Apple (2000) describes a prime example of how those desiring more centralized control of education tend to capitalize on the confusion between "standards" as a commitment to high goals, and "standards" as a set of content guidelines. He relates how, in *Our Children and Our Public*, William Bennett employs what Apple calls a "very clever" tactic of rhetorical manipulation to convince the public that what is important is

high standards and expectations, a return to the "basics," control of classroom discipline, character training, and indoctrination in "our" political and moral principles and traditions.

Another example of the deliberate use of confusion over terminology can be found in Diane Ravitch's (1999) opinion paper, "Our School Problem and Its Solutions." She bounces from context to context with the word "standards," using it first to describe a set of curriculum content guidelines:

> Public authorities should establish standards that are clear, measurable, and non-politicized for pupils as well as for teachers. Students should know in advance what they are expected to learn in each subject and grade. They should know that what they are taught will be tested and that if they study for the test, they will do better than if they do not. (para. 14)

Ravitch then switches contexts entirely (this time using "standards" to denote "high aspirations") to argue:

> Students say to the pollsters, 'If you expect more of us, we will learn more.' Parents of every racial and ethnic group say, 'We want higher standards and higher achievement in our children's schools.' More than eight out of 10 parents want schools to 'push students to study hard and to excel academically.' (para. 19)

These examples illustrate the critical need in this study to recognize how key players manipulate terminology in order to influence public education policy for their own benefit, and how that influence, in turn, motivates the public's support or lack of support of high-stakes testing policies. In more sociological terms, McCarthy, Smith, and Zald (1999) assert, "An essential task in these struggles is to frame social problems and injustices in a way that convinces a wide and diverse audience of the necessity for and utility of collective attempts to redress them" (p. 291). Thus, the public's perception of policies as unjust and their ultimate involvement in the anti-testing movement

depends greatly on the public's interpretation of key terms such as "standards" and "accountability."

For the sake of this study, then, I believe it is important to identify those entities that would, for political or economic reasons, benefit from certain connotations of such "buzzwords" of the standardized testing movement. Equally important is the need to determine the relationship between organized resistance to standards and accountability policies and the public's level of knowledge of the policies' ramifications as mediated by the rhetoric surrounding standards and testing. As McAdam, McCarthy, and Zald (1999) point out, "At a minimum people need to feel both aggrieved about some aspect of their lives and optimistic that, acting collectively, they can redress the problem. Lacking either one or both of these perceptions, it is highly unlikely that people will mobilize even when afforded the opportunity to do so" (p. 5).

High-Stakes Testing Policies: Assumptions, Effects, and Perspectives

General Assumptions

In *Raising Standards or Raising Barriers? Inequality and High-Stakes Testing in Public Education,* Kornhaber and Orfield (2001) offer the insights of various authors on the social effects of high-stakes testing. The contributing authors of the book present several prevailing assumptions about high-stakes testing. They assert that the first assumption --- that testing will enhance economic productivity --- is unsound based on conflicting research and possible social ramifications for poor and minority segments of society. Kornhaber and Orfield claim that even though American students *appear* to be outperformed by Japanese and German students (if such a comparison can realistically

be made given the vast cultural variations), America outperforms Japan and Germany *economically* (2001). They cite 1989 reports on analyses conducted by the National Research Council that demonstrated a weak relationship between "measures of cognitive skills and economic productivity" (2001, p. 6). They discuss Henry Levin's view presented in the book's third chapter that although researchers have linked wage increases to math scores, it would be unrealistic to assume a link between those gains and any educational reform. Contributing authors Bishop and Mane, report on their own findings and the findings of other researchers that show a positive and significant link between testing and economic benefits. Kornhaber and Orfield are quick to point out, though, that those results *did not* hold true for blacks or Hispanics --- the groups that politicians claim high-stakes testing policies will help the most. Furthermore, they assert, "Such tests do not measure qualities that often matter most in job success: initiative, creativity, reliability, persistence, ability to work with others, and an understanding of specific job skills and employment cultures," and they warn of possibly devastating effects on "both the nation's economy and its social fabric" (2001, p. 7).

The second assumption about high-stakes testing policies that Kornhaber and Orfield (2001) present is that "testing will motivate students" (pp. 7-9). They report on the claims of Madaus and Clark (2001) and the research of Fordham and Ogbu (1986). Madaus and Clark point out the wide range of factors that effect individual perceptions of the rewards of passing tests. They emphasize the social and cultural differences in motivation documented by Ogbu (1985), who found such differences between members of dominant groups and members of oppressed groups "even in a homogenous society like Japan" (p. 8). Madaus and Clark add that studies also demonstrate differing

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motivational responses resulting from differing psychological pressures. For example, the studies showed that when students of any race are told ahead of time that scores on a test had not varied according to race or gender, the students tended to perform better. Students told that scores did vary according to race or gender tended to overthink the test and scored lower. From those findings the investigators assert that minority groups in America would tend to be more vulnerable to that dynamic.

Kornhaber and Orfield (2001) point out that many researchers support a third assumption --- that testing will improve teaching and learning. The reasoning, according to supporters, is that students and institutions in need of additional resources will become more visible and therefore more likely to seek out and receive help. They report on studies by Grissmer, et al, who found that Texas students' gains on the TAAS test were consistent with gains on the NAEP. However, they report Markley and Haney separately showed that such a relationship was not apparent on Stanford 9 scores or on NAEP scores at some grade levels (pp. 9-12).

McNeil and Valenzuela (2001) spotlight another common assumption regarding high-stakes accountability systems: "One of the misleading features of this testing system is the notion that publishing scores disaggregated by the race and ethnicity of the children alerts the public to inequities" (p. 131). In their extensive research in Texas, they found that a focus on test scores led to the tendency to overlook other important indicators such as "degree of segregation, the level of poverty, or the number of students graduating, taking the SATs, and going to college. Furthermore, the scores mask the inequities produced when schools raise test scores at the expense of substantive learning" (p. 131).

Effects of High-stakes Testing

Since the focus of my study centers on the social and political processes at work between proponents and detractors of high-stakes testing policies, my original intent was to present a balanced sampling of opinions and evidence supporting both the positive and negative effects of high-stakes testing. In combing through the issues, I did find conflicting opinions. However, the opinions and "evidence" appear to be polarized along political lines.

Dating back as early as *A Nation at Risk* (1983), proponents of standards-based reform policies hoped to create quality curriculum frameworks that would enhance the development of educational materials, intensify teacher preparation, monitor student achievement, identify special needs, and equalize resources (Darling-Hammond, 2003). Proponents assumed that mandatory testing would benefit students by causing teachers to focus on critical skills and knowledge (Ross, 1997). They hoped such policies would particularly benefit minority students by holding "all schools, teachers, and students to high standards of teaching and learning" (Heubert, 2000, p. 14).

A few early studies on the effects of high stakes testing did report *some* benefits. Langenfeld, Thurlow, and Scott (1997) produced a synthesis of reports on numerous studies conducted from 1983 to 1997. They reported that researchers had seen increases in:

- basic skills achievement

- clarity of educational goals

- course offerings in academic areas such as math, science, and advanced placement

- benefits of accommodations provided to mildly retarded students

Similarly, the Education Commission of the States (2001), funded by the Educational Testing Service (ECS Annual Report, 2003), reports the benefits of annual assessments include the ability to monitor:

- year-to-year student growth;

- alignment of curriculum to state standards;

- the need for academic interventions for certain groups.

However, in spite of the common assumption on the part of policy makers and public alike that the standards and accountability movement is the answer to America's "education crisis," an overwhelming body of evidence demonstrates primarily *negative* consequences resulting from the emphasis on testing. Even the advantages noted by Langenfeld, Thurlow, and Scott (1997) are offset by an equal number of disadvantages. Reports in the professional literature range from the negative effects on the quality of instructional techniques, to the reduction of quality curriculum content, to the white-washing of historically significant facts, to increased student drop-out rates and teacher attrition rates. Furthermore, research reports indicate that the anticipated improvements in student achievement are not materializing.

Still, occasionally there are attempts to debunk the negative reports and to place high-stakes testing in a more favorable light for the public. For example, reporting on a study conducted on behalf of *Education Next*, researchers Raymond and Hanushek (2003) attempt to discredit the conclusions of Amrein and Berliner (2002a). They criticize Amrein and Berliner's methodological decision to exclude from their analysis states that had high rates of exclusion of students with disabilities and/or students with lack of language proficiency. By including those states in their analyses, Raymond and

Hanushek claim that much more positive results are noted in states with high-stakes testing policies. However, Commissioner of Education Statistics P. D. Forgione (1999) reports that a study by the National Center For Education Statistics found a moderate positive correlation between state NAEP reading scores and exclusion of (Limited English Proficient (LEP) students and students with disabilities. Based on that correlation, apparently the analytical decision of Amrein and Berliner to exclude such states from consideration was appropriate. Furthermore, it should be noted that authors Raymond and Hanushek (2003) were writing for *Education Next* --- the on-line journal headed up by known neo-conservative thinkers such as Chester Finn and Diane Ravitch, and sponsored by right-wing think tanks such as the Hoover Institute, the Fordham Foundation, and the Manhattan Institute.

Effects on Quality of Instruction and Learning

Ross (1997) says, "When test results are the primary indicator of school effectiveness, we tend to treat test scores, rather than meaningful learning, as the goal of schooling" (para. 3). Kornhaber and Orfield (2001) discuss the findings of Madaus and Clark (in Kornhaber & Orfield, 2001, pp. 85-106) and McNeil and Valenzuela (in Kornhaber & Orfield, 2001, pp. 127–150) that demonstrate such potential for the narrowing of instruction and a decrease in conceptual learning on the part of students. A truncated curriculum was particularly true for classes with more than 60% minority students, in which teachers were more likely to use standardized test prep materials, to receive more pressure from their district to raise scores, to focus heavily on tested skills and concepts at the expense of non-tested skills and concepts, and to spend time

teaching test-taking skills, according to Madaus and Clark (as cited in Kornhaber &

Orfield, pp. 94-96). Similar results were reported by Moon, Callahan, and Tomlinson

(2003).

Linda McNeil and Angela Valenzuela spent ten years investigating the effects of

high-stakes standardized testing on student learning in Texas, a state that spearheaded

the approach to the accountability movement with its Texas Achievement of Academic

Skills (TAAS) program in the eighties. Based on their interactions with literally hundreds

of teachers, students, and administrators, they concluded that the TAAS program

seriously undermined the quality of learning by replacing meaningful,

research-supported instructional practices with narrow, prescribed, test-preparation

curriculum. They also found that the approach neglected issues of culture, language,

and historical social inequities --- issues known to be closely related to student

achievement. Ultimately, they stated, "Rather than youths failing schools, schools are

failing our minority youths through the TAAS system of testing" (as cited in Kornhaber &

Orfield, 2001, p. 148).

Amrein and Berliner (2002a) conducted a nationwide study that examined levels

of transfer of learning as they relate to the imposition of high-stakes testing policies.

With the intent of determining whether those policies resulted in desirable outcomes,

they applied what is known as Heisenberg's Uncertainty Principal in their analysis: "The

more important that any quantitative social indicator becomes in social decision-making,

the more likely it will be to distort and corrupt the social process it is intended to monitor"

(para. 14).

Based upon their wide-spread use and acceptance across the country, Amrein and Berliner used the scores from the ACT, SAT, NAEP, and AP tests as learning transfer indicators. The researchers used archival time series to determine the effect each state's high-stakes testing policies had on the four transfer measures. Although states with severe consequences attached to their tests often appeared to be raising their scores, the researchers found that in nearly every analysis, "Student learning is indeterminate, remains at the same level it was before the policy was implemented, or actually goes down when high-stakes testing policies are instituted" (Abstract, para. 4). Based on theses observed decreases or general lack of improvement they concluded that there was good reason to debate high-stakes testing policies because such policies are not only inefficacious and expensive, they may result in "structural and institutional mechanisms that discriminate against all of America's poor and many of America's minority students" (Final thoughts, para. 2).

Alfie Kohn (2000) describes the scenario that is particularly common in schools with large minority populations. He relates how the obligatory emphasis on "the temporary acquisition of facts and skills, including the skill of test-taking itself, more than genuine understanding" (p. 37) lowers the quality of instruction. With a focus on raising test scores, he explains, the inevitable result is often the over-use of lower-level "drill and kill" strategies and an over-reliance on direct teaching methods. He warns that civil rights groups and individuals speaking out against the achievement gaps between minorities and whites may inadvertently perpetuate the problem if they look only to test scores to determine progress (p. 37).

A publication called *Learning Park*, produced by Twin Cities Public Television (2001), presents a concern for the effects of standardized testing on subjects such as social studies in which logistical considerations would tend to result in the use of "what" questions: "The objectives of a history class will likely emphasize an understanding of historical events as they relate to the big picture, e.g., how they relate to and influence other events. A teacher who emphasizes this kind of understanding may be penalized when his/her students have not memorized dates, capital cities and so on" (p. 5). Oregon teacher Bill Bigelow (1999) expresses similar concerns that such standardization policies will reduce social studies to a "memory Olympics" (p. 38). Doing so, he fears, will communicate to students that any time or effort *not* spent on learning the prescribed facts for the test is not worth their while. Standardized tests, he asserts, "don't merely assess, they also instruct. The tests represent the authority of the state, implicitly telling students, 'Just memorize the facts, kids. That's what social studies is all about --- and if teachers do any more than that, they're wasting your time'" (p. 40).

Bigelow (1999) warns of even more serious social and academic consequences for the subject of social studies. He explains how efforts to implement a standardized social studies test in Oregon have threatened to undermine the depth and effectiveness of that state's social studies curriculum. Bigelow describes how the social studies curriculum content has been reduced to a collection of shallow, misleading, discrete multiple-choice questions. He asserts, "Social studies standardization threatens a multicultural curriculum --- one that attempts to explain the world as it really exists; speaks to the diversity of our society; and aims not only to teach important facts but also to develop citizens who can make the world safer and more just" (p. 37). In their

attempts to create "neutral" questions, Bigelow asserts, writers of standardized tests

tend to create the illusion that there is a single static perspective about society rather

than to represent the more realistic perspective that society is an ever-changing

collection of conflicting perspectives. Lacking "critical sensibility," such standardization

fails to examine the contradictions between American ideals and its realities (p. 37). For

example, racism is never mentioned in the social studies standards or assessments;

there is no mention of the fact that although Oregon's first constitution outlawed slavery,

it also prohibited blacks from living in the state until 1927 (p. 38).

Carl Glickman (2001) similarly criticizes such attempts by states to base

standards upon a single group's perception of social reality. He says, "A democracy

flourishes only when it protects the marketplace of ideas and a diversity of perspectives"

(p. 49). But Glickman extends the need for diverse perspectives to include "alternative

concepts of education" (p. 49), warning against the dangers of allowing one assessment

mechanism to silence other valid avenues of public education.

Effects on Retention and Graduation Rates

Kohn (2000) warns that the threat of exit test failure may lead many students to

drop out in avoidance --- a warning validated by research conducted by Amrein and

Berliner (2002b) and by Haney (2000), and the North Carolina School Psychology

Association (2001). In a study entitled "The Unintended Consequences of High-stakes

Testing," Amrein and Berliner conducted quantitative analyses to determine whether

high-stakes testing policies had an effect on drop-out rates, graduation rates, and the

number of students taking GED exams. Their analyses revealed that "state adoption of

high-stakes testing policies leads to increased drop-out rates, decreased graduation rates, and higher rates of younger individuals taking the GED equivalency exams" (p. 47). They also found an association between high-stakes testing policies and increased rates of:

- Retention of low-performing students

- Suspension rates of low-performing students right before tests

- Reclassification of low-performing students as test-exempt

- Denial of fine arts, science, social studies, and physical education classes

- Time spent exclusively on test-related skills and strategies

- Teacher attrition from public school positions

- Cheating by teachers and other school personnel

Heubert (2000) reports on the issues of grade retention rates, graduation rates, and teacher attrition rates as they pertain to minority students, English-language learners, and students with disabilities. Citing evidence from research, he notes that if the NAEP were to be administered to those populations today, projected failure rates would be about 80%. He points out that those populations comprise the large majority of students who are retained in a grade due to failure of a grade-level promotion test. Then, because grade retention is the single strongest predictor of whether students will drop out, he argues, promotion testing will ultimately result in even higher numbers of these students dropping out of school. Asserting that those populations of students particularly need highly-trained and experienced teachers, Heubert warns that they may be further undermined by teacher attrition from urban districts where the pressure and negative publicity are overwhelming.

Those conclusions are substantiated in an extensive study by Walt Haney (2000) about education reform and statewide testing in Texas. In "The Myth of the Texas Miracle in Education," Haney reports on his analyses of student progress in the 1990s. He found that the state's reported achievement gains, based on increases in TAAS scores during that period, were contradicted by other achievement indicators such as NAEP, SAT, and TASP. He further noted sharp increases in grade 9 retention rates, especially among minority students, as well as a sharp increase in the number of students taking the GED to avoid the TAAS exit exam. He also observed a huge increase in the number of students classified under special education --- a classification that kept a growing number of students' TAAS scores from counting in campus accountability ratings. Looking at multiple indicators of high school completion rates, Haney concluded that fewer than 70% of Texas students actually graduated from high school during the 1990s. In the words of McNeil and Valenzuela (as cited in Kornhaber & Orfield, 2001), "We fail to see how the state's interest is served by a policy that simultaneously diminishes young people's access to a substantive education and closes off their opportunity for graduation from high school, especially when this route represents their best hope for a socially productive life" (p. 148).

Effects on Teachers

Sherman Dorn (1998) says, "High-stakes accountability is not a system that demonstrates trust in teacher's [sic] capacities" (p. 17). He asserts that such systems encourage a "practice-blind" reliance on test scores as indicators of teacher quality. Dorn states, "As long as a school or teacher has adequate test scores, what happens in

the classroom is irrelevant. Similarly, poor test scores indicate needed change, no matter what happens in the classroom" (p. 16). He discusses how the current political emphasis on prescribed curriculum and high-stakes accountability limits teacher autonomy and leads to the de-skilling of teachers by restricting their content and pedagogical options. However, he warns that professionalism --- the dominant alternative promoted by many critics of high-stakes accountability --- is not politically viable. The reason, he says, is that professionalism's accompanying assumption of full teacher autonomy may be incompatible with contemporary democratic ideals. Full insulation from democratic scrutiny may appear threatening from a civil rights perspective and may be unattractive to parents expecting a voice in school governance. He asserts that more viable alternatives --- one that would respect teacher expertise and innovation --- are 1) to eliminate the trend toward media-publicized *statistical* accountability, and 2) to re-contextualize test scores by focusing teacher evaluations on the connection between student performance and classroom practice (p. 22).

In her book, *Contradictions of School Reform,* Linda McNeil (2000) describes the experiences of magnet school teachers in Texas after Texas House Bill 72 brought forth one of the nation's first high-stakes accountability systems. She relates how well-intended reforms resulted in frustration on the part of teachers who felt torn between state-prescribed content and content that experience had shown them to be meaningful and fruitful to the students. "As they shifted their teaching to accommodate to the mandated curricula and teaching techniques," she writes, "they saw their trust relationships with their students eroded, their relationships with administrators become increasingly adversarial, and their carefully constructed school programs jeopardized"

(p. 190). They found themselves needing to shift from student-centered learning formats to a more teacher-centered, teacher-controlled environment (p. 192). After already having spent many hours developing a quality program, they now found themselves working long hours to adjust their materials and approaches "to get around the undermining effects of the controls" (p. 193).

McNeil also describes how the reform requirements sabotaged a previously strong physics program at the magnet school (2000). The physics teacher engaged students throughout the semester in discovery activities in order to encourage their acceptance of science as a way of thinking. As they built paper airplanes, threw balls of clay, and dropped objects from different heights, she led them to form questions about speed, gravity, resistance, and similar topics. When the new proficiency system was implemented, however, she found critical concepts torn from their contexts and reduced to fragmented facts and an emphasis on computational proficiencies rather than on conceptual approaches based on scientific principles.

Alfie Kohn (2001) echoes those sentiments. He tells the story of a veteran teacher who announced at a meeting that he "'used to be' a good teacher" (p. 3). The teacher explained that under the new accountability measures, he was reduced to handing out adopted textbooks and quizzing the students over memorized information. With the emphasis on standardized testing, the teacher no longer had time for "the kind of wide-ranging and enthusiastic exploration of ideas that once characterized his classroom" (p. 3). Kohn offers a description of five ways in which the "Tougher Standards Movement" is flawed:

1. It tends to reduce student motivation to the shallow level of 'getting a passing score on a test;' it fails to nurture 'learning for its own sake.'

2. It tends to limit the teachers to 'rote' teaching methods, ignoring modern cognitive research.

3. It relies entirely on multiple-choice tests to measure the need for school reform.

4. Its demands for change come from people who are not in classrooms who wish to have more control over those who are.

5. It implies that education needs to simply make students learn more material, more difficult material, and learn it more quickly than they do now (pp. 3-4).

The National Center for Education Statistics (2000-2001) reported that nearly 15% of teachers with only 1 to 3 years experience cited disapproval of current reform policies as a primary reason for leaving their teaching positions. That finding is not surprising in view of the "tremendous social pressure (from parents, school administrators, and students themselves) on teachers to see that students perform well on high-stakes tests" that tends to reduce their professional judgment, autonomy, and creativity (Ross, 1997, para. 4). Ross continues, "Trust in teachers and others in local school communities is exactly what is missing from standards-based educational reform efforts in New York and nation-wide" (para. 7). Rather than trusting teachers to follow what the teacher certification system had taught them about quality instruction, teachers chose to leave what Linda McNeil (2000) calls "this increasingly controlling system" (p. 228).

Perceptions of Parents and Students

Parents' and students' perceptions about testing are important to the context of this study, since their perceptions are directly related to the framing processes component of McAdams' political process model (I see now that neither McAdam nor

the other authors capitalize any of the phrase --- hope I caught them all!). Barksdale-

Ladd and Thomas (2000) interviewed parents to learn how they found out about testing

policies and what their perceptions of them were. The authors found that most parents

had initially read about the tests in newspapers, and that they then had learned about

the specifics of tests affecting their children from their children's teachers and from

school flyers or newsletters. In general, parents believed test scores were a necessary

means of communicating school effectiveness to the public. While parents from

southern schools reported that they did not feel highly pressured for their children to

produce high test scores, several parents from northern schools mentioned knowing of

large numbers of parents who kept their students home if they thought that their children

might do poorly. Parents did express concern for the amount of anxiety and

nervousness that students felt in regard to the tests, criticizing the system for putting

that kind of pressure on their children while failing to promote learning.

The Education Commission of the States (2000) published an online summary of

national surveys about high-stakes testing. They reported that even though the public

views statewide tests as useful, they do not support the use of a single test in making

decisions about graduation, promotion, or other determinations that would greatly affect

a child's future. In general, the public considers grades and other measures better than

tests in determining promotion or graduation.

In another study conducted by Shepard and Bleim (as cited in Sacks, 2000),

parents were informed about the differences between traditional multiple-choice tests

and alternative performance-type assessments. Once parents understood the

differences, they overwhelmingly showed support for the performance tests as being

more reasonably connected to student understanding. Most important to the context of this study, however, is Sacks' own inferences about what this study revealed. Sacks warned, "Opinion polls about public views of standardized tests and its alternatives need to be interpreted cautiously, because those opinions may well be founded on misinformation and folk wisdom rather than on reliable evidence" (p. 251).

In regard to student opinions, Hughes and Bailey (2001/2002) conducted surveys and interviews of ninth grade students during the fall of 1999 in Indiana. They found students to be well informed about the test, its implications, and their options. When students ranked their anxiety level, average responses were in the middle on a scale of one to ten. Nearly half of the students expressed anxiety over whether the test might keep them from graduating. Some students who did not express concern about the test simply said that they could simply get their GED. Most of the students expressed the feeling that the test was unfair in view of the fact that its results could negate all of their other efforts in school. They cited inconsistencies between how their friends and acquaintances had done in school compared to how they had done on their test; many good students had failed the test, while many poor students had passed. They also expressed suspicion of the scorers and scoring methods, and were made nervous by all the warnings given by their teachers and administrators (pp. 75-76).

Positions of Professional Organizations

Educational professional organizations have been creating and publishing position statements on testing practices for more than a decade. After *A Nation at Risk* in 1983, as states rushed to create and implement state-required achievement tests in

response to the nationally-perceived education crisis, educational organizations were already keeping watch on testing policies. Even prior to the year 1997 when President Clinton proposed the creation of voluntary national testing, major organizations such as the National PTA and the National Council for the Social Studies already perceived the need to create public statements and/or guidelines regarding and testing policies. Between 1997 and 2001, when the No Child Left Behind requirements went into effect across the country, similar position statements were created by the International Reading Association, the National Science Teachers Association, the National Council of Teachers of Mathematics, and the American Educational Research Association. After the implementation of NCLB came statements by the American Evaluation Association (2002), the National Association of School Psychologists (2003), Association for Supervision and Curriculum Development (2004), the National Council for Teachers of English (2004), and several state associations. It is important to the context of this study to note the issues that each of those organizations perceived as most critical to mention in their statements, for those issues could form the basis of protest at some level. Mentioned by all twelve organizations was the concern about the use of a single fallible assessment measure to make high-stakes decisions. Eight organizations mentioned concerns about the lack of adequate resources and issues regarding reliability and validity. Seven organizations mentioned lack of alignment between test and curriculum, lack of attention to students with disabilities or language differences, and lack of appropriate meta-evaluation measures in testing programs.

Notably, there is a lack of correspondence between the concerns between the position statements and the issues emphasized by other experts and authors reporting

on research studies on high-stakes testing issues. For example, numerous authors point out validity issues stemming from policies that dictate the ill effects of using test scores for unintended purposes (i.e., Moss, 1998; Reckase, M. (1998); Heubert and Houser, 1999; Sacks, 2000; Popham, 2001; Kornhaber & Orfield, 2001). Validity issues are addressed by eight of the twelve organizations. In contrast, the deprofessionalization of teachers, a concern either implied or noted directly in several research studies (as Ross, 1997; Barksdale-Ladd and Thomas, 2000; McNeil, 2000; NCES, 2000-2001; Kohn, 2001; Dorn, 1998) is mentioned only once (by the American Evaluation Association).

Conclusion

With this review of professional literature I have gleaned facts from numerous sources regarding the development of standardized testing policies over the past quarter century. I have detailed the views of authors' analyses of highly complex socio-political influences on those policies. I have presented evidence justifying a sociological approach in my research on the anti-testing movement, and have provided a background and rationale for using the political process model. I have justified including in my research an examination of the terminology used by policy-makers in promoting high-stakes testing, and have reported authors' descriptions of some common assumptions that accompany the public's acceptance of current high-stakes testing policies. I have presented a cross-section from the literature on the reported effects of current standardized testing policies on teachers, the quality of instruction, drop-out

rates, and retention rates as well as on the current perceptions of parents and professional organizations.

In the available literature, credible professionals express significant concern about the sometimes serious, though unintended, negative effects of current standardized testing policies. One would suppose that those concerns would be sufficient to warrant serious protests from several angles. Absent from the literature is a clear explanation for why such protest arises in some states and not in others, and why there is yet to be a full-scale national protest. I intend to close that gap with this study. By examining patterns of protest across those states that have implemented high-stakes testing policies, and by applying Doug McAdam's political process model, I hope to determine if and how framing processes, mobilizing structures, and political opportunity have played a role in the occurrence of such protests.

CHAPTER III

METHODOLOGY

Introduction

In this section I begin by noting the influence of the Internet on this research project. I then restate my research questions and will elaborate on the research model, choice of methods, and data sources for this study. After detailing my research questions, I discuss how the various needs of the study led to my choice of a qualitative analysis version of literal replication as my research model. I also explain how I selected a manageable number of states to study and the types of documents to be included. I outline how I used multiple Internet sources and interviews to answer my research questions. I also explain the data analysis methods to be used in the study, including use of tables and my choice of coding strategies and computer software to aid in the organization and analysis of data.

Influence of the Internet on the Research Process

This chapter would not be complete without a discussion of how the Internet has served as my primary data-gathering tool and has revolutionized the research process itself. In the beginning I used the Internet to locate journal article abstracts, book titles, and so forth, primarily through the *ERIC* database for use in my literature review. I then undertook the cumbersome task of seeking out the articles in bound journals at my university library and copying them page by page. However, over the course of my research, I soon found that many full-text articles were available online and could be found simply by typing the author, title, or topic into a search engine such as Google.

In fact, the number of full-text journal articles and on-line newspaper articles that can readily be accessed online has multiplied exponentially just since I began using a home computer ten years ago. I have frequently found the same article, or additional reports of the same event, on multiple on-line news sites. Although I had to take care not to duplicate a report in my database, finding a protest event reported by multiple sources helped tremendously in verifying protest reports. I also quickly realized that I could copy articles directly to my NVivo database, rendering obsolete the cumbersome reams of hard-copy articles that had previously taken hours to obtain and organize. When I have needed to refer to a previously-used article for clarification on an issue, I discovered that it was quicker to pull the article up online than to dig through my stacks to find an article that I knew I already had in hard-copy form. Furthermore, as I came across authors or books of interest in my Internet searches or in the articles I read, I was able to go directly to an on-line bookstore to order a copy sent directly to my home. Often the bookstore Website would suggest additional books on the topic that would prove to be excellent resources. More recently, as I have sought to provide details on the political and demographic contexts for the study, I have been amazed at the volumes of information provided on the Websites for the federal and state governments, professional organizations, and protest organizations to name a few. Not only have the computer and the Internet made the research process easier and more efficient, I believe that they have substantially improved the quality of the content and product.

Research Questions and Methods for Answering

As I stated in Chapter I, my primary research question is: "How can framing processes, mobilizing structures, and political opportunity explain variations in anti-testing protest activity from state to state?" Stemming directly from this is the sub-question, "What acts of protest such as open verbal challenges, lawsuits, boycotts, strikes, and sit-ins have occurred?" To answer those sub-questions, I conducted content analyses of protest reports from online news sources and compiled the data into tables that noted the date of protest, levels of protest, initiating parties, intended audiences, protest outcomes, and major complaints. Other sub-questions arose from the three components of the political process model.

Related to framing processes were the following questions:

- What is the discourse of proponents of high-stakes testing?

- What is the discourse of stakeholder protesters and organizations regarding:

    o Concerns or grievances about potential or existing detrimental effects of high-stakes testing?

    o Stakeholder attempts to support, halt, or modify existing high-stakes testing policies?

To answer the questions related to framing processes, I first conducted data searches for position statements of professional education organizations and analyzed the contents of those that I found in terms of the major concerns expressed in the position statements. Then, as I conducted content analyses of protest reports, I noted specific examples of framing strategies used by protesters. I also administered questionnaires to eleven organizations and key individuals in the anti-testing movement to determine their

views. I received seven responses. Those questionnaire responses led to several

follow-up e-mail interviews with various respondents.

Related to the component of mobilizing structures were the following questions:

- What grass roots organizations have demonstrated support to the anti-testing movement?

- What new or preexisting social and/or political organizations have demonstrated support to the anti-testing movement?

- What professional education organizations have demonstrated support to the anti-testing movement?

To answer that set of questions, I used data from Internet searches to compile a

list of organizations that have arisen specifically to protest current high-stakes testing

policies or have demonstrated a willingness to support the anti-testing movement. I

included links to each of their Websites. Position statements of social, political, and

professional education organizations regarding high-stakes testing provided evidence of

which organizations support the goals of the anti-testing movement. Online news

sources provided reports of the professional education organizations as well as social

and political organizations that were actively involved in protests.

Questions related to political opportunities were:

- How may have state-to-state variations in dropout rates, student ethnicity, unemployment, poverty, and collective bargaining laws affected protest development?

- How do high-stakes testing issues enter into the political discourse and agendas of state politicians in manners that would indicate:

    o The presence or lack of allies of the anti-testing movement?

    o The existence of political access points?

    o Divisions on high-stakes testing issues?

- o Their concern or lack of concern about how high-stakes testing policies repress marginalized groups?

- What external events or conditions (such as wars, natural disasters, and the events of 9/11/01) appear to have contributed to an increase or decrease in protest activity?

To answer those questions related to political opportunities, I considered the following variables: key accountability legislation, political affiliations of state political leaders, state political leaders' indications of support of accountability issues, student ethnicity profiles, poverty indicators, dropout rates, and collective bargaining laws. . I believe that a comparison/contrast of protest development needed to begin with a clear understanding of the demographic and socioeconomic differences between the states. It was important to examine key legislation not only to clarify the nature of its content relative to each state's demographic context, but also to determine whether such legislation had been introduced quickly or over a long period of time and whether any legislation had been passed in response to protester complaints. It was equally important to document predominant political party influences in each state and to determine whether the political parties demonstrated differences in support of accountability issues. I needed to determine whether there were relationships between dropout rates and protest development in each state, and if so, what those relationships were. Likewise, I wished to determine whether the presence of state teacher unions and collective bargaining rights encouraged protest development.

I documented all legislation related to educational accountability in the five states under consideration, noting the supporters and opponents of that legislation where possible. I paid particular attention to legislation that was specifically designed to address stakeholders' concerns about the effects of state and national testing policies. I

searched *VoteSmart.com* to determine the political alignments of the five states'

governors and state legislators and their views on educational accountability issues

based on the National Political Awareness Test (NPAT). Unfortunately, I found that

many of the state political leaders had not responded to the NPAT, but I noted the

number of state political leaders responding in each case. I converted the actual data to

percents, noting the percent of Democrats, percent of Republicans, and the percent of

total state legislators indicating support of the two educational accountability issues

covered by the NPAT. I also noted public statements and proposed legislation of state

politicians in response to constituent complaints as well as their actual participation in

protest events where indicated in online news sources.

I gathered data on student ethnicity from the National Center for Education

Statistics table entitled "Public school membership, by race/ethnicity and state: School

year 2001–02," and converted the data to percents for easier state-to-state comparisons

between ethnic groups. I retrieved data from the Website www.infoplease.com

pertaining to per capita income, percent unemployed, and percent living in poverty for

the five states under study, and compiled the data into a table. The U. S. Census

Bureau online report served as my data source on dropout rates in the five states. My

original source for collective bargaining laws for the five states was the *StateNotes*

Website sponsored by the Education Commission of the States (ECS). However, I

discovered a mistake in that Website's reported data on the state of Texas in regard to

the right to strike. ECS did not note the prohibition of strikes in Texas, a fact that was

verified by consulting *ENotes* (Phelps, 2006) at http://law.enotes.com/everyday-law-

encyclopedia/teacher-s-unions-collective-bargaining.

As I compiled data on protest events into tables, I also looked for evidence of time gaps between protest events to determine the existence of correlations between levels of protest activity and major natural or political conditions or events that have occurred since 1985. Of interest were dates associated with the passing of No Child Left Behind, the terrorist attacks of 9/11/01and its ensuing economic decline, the war in Iraq, and the reelection of George W. Bush.

The Research Model

In determining an appropriate research model, I analyzed the tasks that would be required to answer the research questions I had developed for the study. For example, I knew that I would need to consult various reports --- both official and research-oriented --- that would provide a factual foundation of current local, state, and national policies upon which to build the context for related protest behaviors. However, I also knew that I would need to examine documents, reports, Websites, what Berg (2001, p.240) referred to as "artifacts of social communication" for various levels of protest behavior. An appropriate research methodology for this study, then, needed to include *qualitative content analysis* of documents. Such an analysis allowed explanation of the various aspects of the context in which the communication was made, the *intent* of the communicator, and the audience for which the communication was intended (Gall, Borg, & Gall, 1996). As Berg (2001) said, "From this perspective, content analysis is not a reductionistic, positivistic approach. Rather, it is a passport to listening to the words of the text, and understanding better the perspective(s) of the producer of these words" (p. 242).

Krippendorff (2004) questioned the validity and practicality of distinguishing between qualitative and quantitative content analysis at all, as he believed that all text analysis is ultimately qualitative, even when reduced to numbers that can be recognized by a computer. However, he acknowledged that some alternative protocols have been offered by proponents of more qualitative approaches: discourse analysis, social constructivist analysis, rhetorical analysis, ethnographic content analysis, and conversation analysis. He described these approaches as *interpretive* (p. 17), and noted that all of them require that the researcher focus closely on a relatively small amount of text, create descriptive and interpretive narratives that rearticulate the content, and openly acknowledge his/her hermeneutic role. One of the approaches, social constructivist analysis, particularly addresses at least some of the demands of this study. Krippendorff described social constructivist analysis as an approach that involves understanding "changing notions of self," "how reality comes to be constituted in human interactions and in language," "how facts are constructed," and "how emotions are constructed" (p. 16). Because of this investigation's concern with framing processes, which involve deliberate attempts to generate shared perceptions, this approach proved useful. Krippendorff also discussed several points of entry for designing an analysis: text driven, problem-driven, and method-driven (p. 340). In this study I followed his "problem-driven analysis" approach in which analysts begin with a set of research questions and "proceed through analytical paths from the choice of suitable texts to their answers" (p. 340).

Because of the sociopolitical nature of the content, it was also important to consider both *manifest content* and *latent content.* Berg (2001) described manifest

content as "those elements that are physically present and countable" and represent what he called the "*surface structure*" of the message. He described latent content as "an interpretive reading of the symbolism underlying the physical data" that reveals the "*deep structural* meaning conveyed by the message" (p. 242). An example of how I considered both levels of content in this study would be in my analysis of the use of key terms such as *standards*, *achievement*, and *accountability* in various communications and how they contribute to framing processes. I was more interested in analyzing their contextual connotations and the author's intent in using them than in quantifying their appearance. This approach was consistent with the critical theory orientation described above, since it combined both positivist and interpretivist frames of analysis.

I also examined the fact that I was observing considerable state-to-state differences in the amount of political activity surrounding accountability and testing issues. I determined that my research needed to include a *multiple case study* component. In researching multiple case study approaches in Robert Yin's book *Case Study Research* (1994), I encountered his discussion of *literal replication.* In its usual *quantitative* research context, literal replication usually involves "exact duplication of the first investigator's sampling procedure, experimental conditions, measuring techniques, and methods of analysis" (as cited in Gall, Borg, & Gall, 1996, p. 193-194). However, Yin elaborated on how such a process can be applied within a *qualitative* context. In such a context, literal replication would refer to the use of single-case or multiple-case studies for the purpose of supporting or supplementing a particular theory, which was, in essence, an indirect goal of my use of McAdam's political process model to examine the anti-testing movement. Furthermore, Yin's interpretation of literal replication also

accommodated an examination of the different aspects of various states' accountability policies --- an examination that was useful in demonstrating the relationship between the policies and the overall political environment's conduciveness to protest. Furthermore, Yin's literal replication model accommodated the analysis of documents and reports of different levels of anti-testing protest behavior such as 1) written position statements, 2) open verbal challenges, 3) lawsuits, and 4) boycotts, marches, rallies, strikes, and sit-ins.

Content Analysis Methods

Krippendorff defined content analysis as "a research technique for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use" (p. 18). Not only did this definition acknowledge the inferential nature of content analysis, it also implied the need for researchers to describe carefully their analysis procedures and to ensure that "the researcher's processes of sampling, reading, and analyzing messages ultimately satisfy external criteria" (p. 19). He outlined the factors that should be included in researcher's description of analysis procedures in the research proposal. Those factors that pertain to this particular investigation included:

- Sampling strategies and data language
- Units of analysis
- Recording/coding categories

Those factors, along with the additional issues of selection criteria, news source bias, and validity formed the framework of my discussion of content analysis methods.

Sampling Strategies and Data language

Through the use of Internet searches I employed the sampling technique

Krippendorff (2004) refers to as *relevance sampling.* Relevance sampling, he explained,

"aims at selecting all textual units that contribute to answering given research questions"

(p. 119). He discussed the quality of text searches in terms of their *semantic validity,*

which he described as the degree to which the searches "identify, count, and/or retrieve

all and *only* relevant textual units or documents" (p. 276). I conducted text searches

through the Google search engine. I discovered that the key terms I would expect to find

in books or articles related to the topic of high-stakes testing tended to yield many

irrelevant documents. For example, the use of "anti-testing protests" in a query yielded

documents on anti-nuclear testing and laboratory testing of animals. What proved to be

somewhat helpful in eliminating irrelevant documents was the inclusion of education-

related terms such as in "students protest testing" or "teachers protest testing."

Likewise, I noted that no single key word approach was likely to yield an exhaustive set

of relevant documents. For the sake of reliability, I have provided a log of the search

terms that resulted in the most relevant results.

Selection Criteria

In regard to case selection criteria, I looked at recent statistics noted in studies

such as Amrein and Berliner (2002a), statistics made available by the National Center

for Education Statistics, and individual state education Websites to determine which

states have adopted high-stakes accountability policies. For example, the eighteen

states found by Amrein and Berliner to have the highest stakes attached to their test

results included Alabama, Florida, Georgia, Indiana, Louisiana, Maryland, Minnesota,

Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Virginia. Since the states with the "highest stakes" attached to their testing programs would be the likeliest sources of protest, it would seem logical to examine those states for evidence of protest activity. However, upon initial examination of reports of protest activity, the three states that have actually had the most protest activity since 1985 in fact were California, New York, and Massachusetts. Although I was primarily interested in examining those states that actually manifested the most activity, I also noted factors that contributed to a *lack* of protest in states that have high stakes policies in order to determine the influence of political opportunity on the emergence of organized protest activity. For practical reasons, I limited this study to the three states with the highest number of reported individual and group protests and two "high-stakes states" for which relatively few reports of individual and/or group protest have surfaced. Based on my preliminary examination of data, I elected to analyze California, Massachusetts, and New York as the three states with the highest number of reported protests. I chose to analyze factors regarding the lack of development of protests in Texas and South Carolina.

Although the Internet is a powerful and efficient means of conducting text searches, it was important to scrutinize each source for factuality. Krippendorff (2004) warns, "Anyone can put anything on the Web, and it is often difficult to distinguish assertions made by experts from assertions made by lunatics" (p. 273). For that reason, I sought verification for reports of protest activity that appeared in sources other than mainstream on-line newspapers and journals. Such verification actually occurred with less effort than I expected, as my data searches often yielded multiple accounts of

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individual protest events. Almost without fail, the information tended to be consistent with regard to critical factors such as responsible parties and the number of participants. Occasionally, however, I found it necessary to contact local anti-testing organizations or persons actually involved in a protest activity to determine relevant context details.

In locating reports of protests, I also came to realize that some mainstream news sites are more conservative than other less mainstream sites. A site's political leanings could potentially affect the number of reports of protest activities reported. For example, ASCD *Newsbrief* and *Edweek* lean toward less reporting of protest activities, while sites such as *Rethinking Schools*, *Radical Teacher*, and *Rouge Forum* tended to result in more reports of such activities. Although I was initially leery of bias from Websites such as *Fairtest*, *Pencils Down*, and *Assessment Reform Network,* I found that they drew reports of protests from mainstream news reports.

As to the time frame from which I drew data, this analysis could have potentially included protest activity as far back as the late 1970s when the first waves of concern over standardized testing began to hit the shores of American awareness, as evidenced by New York's 1979 Truth in Testing law, Ralph Nader's 1980 report on the Educational Testing Service, and the emergence of the National Organization for Fair and Open Testing (Sacks, 1999, p. 6). However, since this study focuses on testing as it applies to the accountability movement in public education, I saw no reason to include reports prior to 1985. That was the earliest date that the first noticeable repercussions from *A Nation at Risk* --- to which Sacks (1999) attributes the birth of the accountability movement --- were beginning to be felt (p.77). Therefore, for the purposes of this study, I included data on protests that occurred between 1985 and 2005.

In Chapter One I offered a working definition of "social movement" that limited social movement activities to "non-institutional forms of political participation." In order to maintain consistency with that definition, I excluded reports of states that have opted out of federal funding mandates, as those options have been exercised within the legal framework of the state-level education institutions. I did, however, discuss such actions for the sake of providing context for extra-institutional activities.

Units of Analysis

Krippendorff (2004) described units of analysis as "mutually exclusive units of text that are selectively included in an analysis" (p. 349). Weber (1990) explained six commonly used options for determining the units to be analyzed: the word, word sense, sentence, theme, paragraph, and whole text (pp. 22-34). Although Weber warned that reliability may be threatened with the use of very long texts, I was primarily concerned with relatively brief reports, statements, and editorials. Therefore, for the purposes of this investigation, I considered the following whole text units:

- Verbal challenges of high-stakes testing in the form of newspaper editorials

- Verbal challenges in the form of speech transcripts

- Verbal challenges by individuals on independent Websites

- Verbal challenges by groups or group representatives on organization Websites

- Verbal challenges by individual authors in books or periodicals

- Verbal challenges of high-stakes testing policies in the form of organization position statements

- Verbal indications of support of the anti-high-stakes testing movement as they appear in interviews

- Verbal indications of support of the anti-high-stakes testing movement as they appear on the Internet

- Lawsuits, as reported in on-line news sources

- Protest demonstrations (boycotts, rallies, marches, strikes, and sit-ins) as reported in on-line news sources

- Reports of state decisions regarding NCLB compliance

- Public statements by politicians on high-stakes-testing

Coding Strategies

The fact that this study involved the use of McAdam's political process theory to analyze textual data indicated that initially the coding categories should be generated deductively and grounded in that theory. In fact, due to the fact that McAdam (1982) has included his coding manual in his book *Political Process and the Development of Black Insurgency, 1930-1970,* I was able to draw some suggestions for coding categories from those used by McAdam himself. Stemler (2001) refered to this approach as *a priori* coding, explaining how as the coding is applied to the data, "Revisions are made as necessary, and the categories are tightened up to the point that maximizes mutual exclusivity and exhaustiveness." Krippendorff (2004) supported this strategy, "If the descriptive accounts or theories about this context can be operationalized into categories for coding texts, then analysts can gain immediate access to what the literature suggests the stable correlations are" (p. 352). However, the revision process mentioned by Stemler (2001) is an example of how we must be prepared to generate categories in a more inductive manner when needed to account for insights that emerge from the data as we immerse ourselves in them. As Berg (2001) reminded us, "In many

circumstances, the relationship between a theoretical perspective and certain messages involves both inductive and deductive approaches" (p. 246).

Initial coding categories included levels of protest, political opportunity, political leader affiliations, framing processes, mobilizing structures, movement leaders, and external events. As the analysis of protest reports progressed, however, I found it necessary to eliminate the categories of political leader affiliations and movement leaders and to add protester complaints. The levels of protest originally included position statements, open verbal challenges, lawsuits, boycotts, sit-ins, strikes, or marches. I later added "demonstrations or rallies" to "marches." I created separate categories related to protest events such as source of the report, location of activity, initiating person(s) or groups, and intended audience. Location and intended audience categories were broken down further into national, state, and local categories, with each relevant state coded with U. S. Postal Service abbreviations. The political opportunities category was divided into the following subcategories:

- The presence of allies

- Existence of political access points

- Levels of repression of marginalized groups

- Degrees of openness of the polity

- Divisions within the elite

- The state's policy implementation capacity

However, I quickly found it necessary to add the "consequences of protest" and "natural or political events or conditions" for this particular context. Originally, framing processes were categorized according to mode (spoken, written, or action), source, and intended

audience. However, these categories proved to be less useful when applying the concept of framing processes to many reports. Instead, I repeatedly found that many protest efforts could be attributed to protesters' desire to promote the shared belief in stakeholders' likelihood of enacting change. This belief was so central to McAdam's definition that I created "likelihood of enacting change" as a category under framing processes. As examples of language manipulation began to emerge, I included "language manipulation" as a category as well. These two categories served the analysis very efficiently. Sub-categories of mobilizing structures included professional organizations, civic organizations, teacher unions, parent organizations, student organizations, and churches. As the database grew, I found the need to create tables to manage the large amount of data. I used the coding categories to guide the creation of tables of data on:

- Issues of concern about testing issues expressed in position statements of professional education organizations

- Anti-testing Organizations that have active Websites

- Framing processes in the form of language manipulations;

- Educational accountability policies in the states of CA, MA, NY, SC, and TX

- Landmark legislation in those five states

- Political party affiliation and positions on accountability issues of the five states' governors and state legislators

- Collective bargaining policies in the five states

- Student ethnicity profiles of the five states

- Reports of protest activities in the five states.

Organizing the data into tables enabled me to recognize patterns that would have been difficult to distinguish otherwise. As I began applying the coding strategies to the data and adding them to the NVivo database, the database program created a formative coding manual to which I could refer as needed.

Conclusion

In this section I have outlined the various layers of theoretical approaches for the study. Overarching the study is a critical theory approach that accommodates both McAdam's political process model and Yin's literal replication model for qualitative research. I have elaborated on the components of McAdam's political process model, which are framing processes, mobilizing structures, and political opportunity, and how each of those components relate to the high-stakes testing context. Within these theoretical parameters I have developed my research questions that have been presented along with the methods I used for answering them. I have detailed my criteria for selecting which states, which time periods, which types of reports, and which sources included in the analysis. Consistent with the employment of *a priori* coding strategies in analyzing full-text data units, I revised my units of analysis and coding units as needed to serve the context of this study.

CHAPTER IV

FINDINGS AND ANALYSIS

Introduction

I first began to formulate this study just before the effects of George W. Bush's

No Child Left Behind *Act* had begun to be felt by the American public. Even before

NCLB, controversy and protests already existed over what many perceived to be the ill

effects of state-legislated high-stakes accountability policies, and NCLB served to

magnify those effects. However, as I began to collect data on protest activities for the

five states under consideration, I noticed that neither the earliest nor the most protests

necessarily occurred in states that were among the first to enact stringent accountability

policies. For example, there was little or no sign of protest activity prior to 2002 in

Texas, which enacted mandatory basic skills competency tests in 1979 and began

requiring exit testing for graduation in 1984. In contrast, protests began to surge as

early as 1998 in Massachusetts, which only enacted its Massachusetts Comprehensive

Assessment System in 1993. It became apparent that there must be other factors

influencing the rate of protest activity development, factors that I hoped might be

exposed by applying McAdam's political process model. Therefore it seems logical that

this chapter should be structured around the three components of McAdam's political

process model, i. e., framing processes, mobilizing structures, and political opportunity.

Because the findings are rather voluminous, however, I first offer a summary table that

generalizes the findings for the reader (see Tables 1 and 2 below.) Then I will present

some key findings related to the three components of the political process model,

discussing concrete examples from the data I have collected in terms of their relevance

to those components. Within the category of framing processes, I will first report findings on the framing discourse of proponents of high-stakes testing. I will then discuss findings on the framing discourse of anti-testing protesters. Because protests tend to be framed around certain grievances, I will begin that discussion by explaining the major concerns about high-stakes testing as expressed by professional education organizations. I will include an explanation of how I used these findings in the analysis process. The framing processes category will also include specific examples to demonstrate how organizations and individuals on both sides of the standards and testing issue have manipulated language and terminology for framing purposes. Under the second category, mobilizing structures, I will report my findings on the various protest organizations and Websites, explaining how they served as mobilizing structures and how they networked with other social, political, and professional organizations as mobilizing structures. Under the political opportunity category, I will summarize landmark legislation, accountability policies, student ethnicity, collective bargaining policies, and the political leanings of government officials in the five states. I will then present a chronological summary of my findings on protests from each of the five states under consideration, discussing them in the context of framing processes, mobilizing structures, and political opportunity. Finally, I will compare and contrast the factors influencing protest development in the five states. Where it is practical to do so, I will include tables for clarification in the text of the chapter. Tables that are too lengthy to include in the body of the chapter will be made available in the appendix.

Table 1

Summary of Findings on Political Process Model Components

Framing Processes	• Framing processes evident from both proponents and opponents of high-stakes testing issue
	  – Opponents of high-stakes testing tended to use very overt, sarcastic, and humorous approaches
	  – Proponents tended to use very covert methods, including paying individuals to promote NCLB
	• Issues of concern used for framing:
	  – Primary issue of concern was the use of a single fallible assessment to make high-stakes decisions
	  – Initial issues of concern were not always picked up by the media
	  – Varied strongly according to demographics.
	    • California: Concerns about lack of attention to disabled and/or students lacking in English proficiency.
	    • Massachusetts: Concerns about the implementation of accountability policies without proper meta-evaluation.
	    • New York: Concerns about quality of curriculum and instruction.

Mobilizing Structures	• Anti-testing protest organizations:
	  – Most influential was FairTest/ARN
	  – Massachusetts had the most organized network of local organizations
	• Professional Education Organizations:
	  – National Education Association (NEA)
	  – American Federation of Teachers (AFT)
	  – PTA
	  – American Educational Research Assoc. (AERA)
	  – Content area organizations
	• Social/Political organizations:
	  – MALDEF
	  – NAACP
	  – CEJ
	  – ACLU

(table continues)

Table 1 (*continued*).

Political Opportunity	• "Opt-out" laws limited the capacity of California officials to implement testing policies.
	• Collective bargaining laws appeared to influence the success of protest mobilization.
	• Consequences of protest proved to be an extremely important inhibiting factor in the education context.
	– Teachers and students threatened with severe consequences often backed down on protests.
	– High-level education administrators began protesting high-stakes testing policies once they began to suffer the consequences of NCLB sanctions.
	• The events of 9/11/01 decreased protests dramatically in all states.
	• The war in Iraq depleted funds that would have supported NCLB and led to increased protests from state officials.
	• Hurricanes Katrina and Rita left many children subject to state testing requirements that they were not prepared for.

Table 2

Summary of Protest Findings

Massachusetts and California	• Showed more instances of protest than any other states
	– Strong networks of anti-testing organizations
	– Protests initiated primarily by middle-class and affluent groups of citizens who demonstrated greater political access
	– Republican governors, but Democratic majority in state legislature
	– Educators have some collective bargaining rights
	– California has a testing "opt-out" law.
New York	• Experienced large numbers of protests, but slightly less than California and Massachusetts
	– Protests initiated by affluent citizens concerned about quality of curriculum and instruction
	– State was initially open to protester complaints
	– State later imposed consequences on schools, administrators, and students

(table continues)

Table 2 (*continued*).

Texas	• Has had very few anti-testing protests
	– Protests initiated primarily by affluent individuals
	– Republican governor and Republican majority in state legislature (no anti-testing legislation allowed through)
	– Threats of consequences
South Carolina	• Has had no instances of anti-testing protest
	– Republican governor and Republican majority in state legislature
	– High poverty and unemployment
	– Recent lawsuits over funding of poor rural schools
	– Well-structured assistance programs in place for at-risk students and their families

Framing Processes

In Chapter III, I operationally defined framing processes as communications between stakeholders that contribute to the evolution of a shared perception about (a) the nature of the issue at hand, (b) the nature of the issue's effect on the stakeholders, and (c) the stakeholders' ability to enact change successfully. In reference to framing processes, McAdam, McCarthy, and Zald (1999) say, "At a minimum, people need to feel both aggrieved about some aspect of their lives and optimistic that, acting collectively, they can redress the problem" (p.5). Considering this, it seems logical to assume that protesters' frames or perceptions about high-stakes testing issues would tend to center around their specific concerns, complaints, or grievances. Furthermore, in order for stakeholders to develop that sense of optimism about enacting change, they need confidence that there are influential members within the elite who share and publicly acknowledge their same concerns. For this reason I sought out those professional education organizations that had published position statements on high-stakes testing issues, and present my findings on their concerns in this section.

As a professional educator myself, I am acutely aware of how political pressures often prevent the negative effects of high-stakes testing from being openly acknowledged by teachers, administrators, or parents within the public school community. Because teachers and administrators are employees of the state, there is a tacit expectation that they will perform their duties and behave in a manner that demonstrates support of policies dictated by the prevailing political forces in their state. In response to this dynamic, many anti-testing organizations go to considerable lengths to expose such facts and to frame high-stakes testing in a negative light. I will present examples of these framing efforts in this section.

As I gathered data on framing processes, I repeatedly encountered examples of how opposing forces used language and terminology to frame high-stakes testing issues. These examples, ranging from the most subtle to the most brazen, will also be presented in this section.

Framing Discourse of Proponents of High-stakes Testing

In books, journal articles, and Websites there are countless examples of how individuals and organizations on both sides of the high-stakes testing issue have manipulated language and terminology for the purpose of framing public perception of the issues. In today's popular political jargon, one might call it "putting a spin" on the issues. In Chapter II, I discussed how proponents of high-stakes testing have capitalized on the semantic confusion surrounding the rhetoric and terminology of the standards and accountability movement. I also pointed out the fact that after five years, still nearly half of the American public reports not having enough information about

NCLB to have an opinion on it. On her anti-testing "Outrages" Website, Susan Ohanian

includes the comments of Richard Guida, a lawyer from Reading, Pennsylvania who

alludes to the possibility that the public's generally passive acceptance of NCLB may be

partly the result of the palatable title given to the Bush Administration's re-authorized

version of the Elementary and Secondary Education Act. Guida says, "It's a wonderful

title, No Child Left Behind. Who could ever disagree with that? But kids are all different

and, unfortunately, this calls for a cookie-cutter approach to education that doesn't take

difference into account. Some kids will be left behind" (Ohanian, 2004). In an article

published in the Napa Valley Register, Barbara Nemko, Superintendent of Schools for

Napa Co., California, also referred to the framing power of NCLB, calling it a "political

piece of legislation that, on the surface, sounds like motherhood and apple pie. After all,

who could possibly want a child left behind" (Nemko, 2004, para. 2).

In his best-selling book, *Don't Think of the Elephant*, George Lakoff (2004)

explains this type of language manipulation from a cognitive science perspective.

Describing progressives as those who tend to frame political issues with a "nurturing

parent" perspective, and conservatives as those who frame political issues with a "strict

father" perspective, he explains how difficult it is to penetrate the opposite frame with

logic and facts. Realizing this, he says, conservatives have repeatedly been successful

in drawing people into their frames by utilizing the language and terminology of the

opposite frame. Lakoff (2004) explains:

> We get "compassionate conservatism." The Clear Skies Initiative. Healthy
> Forests. No Child Left Behind. This is the use of language to mollify people who
> have nurturant values, while the real policies are strict father policies. This
> mollifies, even attracts, the people in the middle who might have qualms about
> you. This is the use of Orwellian language --- language that means the opposite

of what it says --- to appease people in the middle at the same time as you pump up the base. (pp. 21-22)

In addition, Lakoff asserts that the use of such language points to the source's weakness. He argues, "It is this kind of Orwellian weakness that causes a piece of legislation that actually increases pollution to be called the Clear Skies Act" (p. 23).

Framing Discourse of Stakeholder Protesters Regarding High-Stakes Testing

One of the first tasks that I undertook in collecting and analyzing data on the framing discourse of stakeholder protesters was to locate position statements of professional educational organizations on high-stakes testing issues. I found several organizations that had published such statements, and was surprised to learn that although none objected to student accountability in general, all expressed at least some concerns about the effects of high-stakes testing. The organizations whose statements I was able to access were:

- American Educational Research Association

- American Evaluation Association

- Association for Supervision and Curriculum Development

- Georgia Association of School Psychologists

- International Reading Association

- Iowa Association of School Boards

- National Association of School Psychologists

- National Council for the Social Studies

- National Council for Teachers of Mathematics

- National Council of Teachers of English

- National Education Association

- National Parent Teacher Association

- National Science Teachers Association

I then conducted a document analysis of the position statements to determine the concerns expressed in them. The following is a list of concerns gleaned from those statements:

- Use of a single fallible assessment measure to make high-stakes decisions

- Over-centralization and/or narrowing of content and methods

- Implementation of testing programs without appropriate meta-evaluation

- Reliability and validity concerns

- Tendency toward exclusion of non-tested subjects

- Contribute to an atmosphere of distrust, divisiveness and cheating

- Disproportionate amount of time spent in test preparation

- Programs are specifically designed to teach to the test

- Assumption that all children learn the same way and at the same rate

- Lack of equity/ Perpetuation of racism and classism

- Increased drop-out and retention rates

- Deprofessionalization of teachers and administrators

- Lack of adequate resources

- Lack of alignment between test and curriculum

- Lack of attention to students with disabilities/ language differences

- Lack of uniform guidelines for determining exemptions from tests

- More focus on scores rather than learning

- Use of resources to reward or punish schools, teachers, or students

- Psychological well-being of student

- Relevance of testing format (authenticity) to real-life practice

- Lack of consideration of social and economic factors

- Use of a single test to make determinations about school quality

- Need for remedial programs & retesting for those who fail

- Parent/guardian does not always receive student's complete score report

Some similarities in the organization's concerns were immediately evident. The primary common concern expressed by every organization whose statements I examined was the use of a single fallible assessment measure to make high-stakes decisions. Eight of the twelve organizations expressed concern over reliability and validity issues and lack of adequate resources. However, I began to see considerable differences in the focus of organizations' concerns. These differences appear related to differences in the organizations' more general foci, such as specific subject areas, research, or teacher and family concerns. For example, the American Educational Research Association (AERA) focused more on concerns related to reliability and validity issues and the soundness of testing program logistics. However, AERA expressed less concern over the social and psychological effects of high-stakes testing policies and the effects of such policies on curriculum. In contrast, the Georgia Association of School Psychologists, although it also expressed concern over reliability and validity, expressed more concern over:

- Social issues such as educational equity and the perpetuation of racism and classism

- Psychological well-being of students

- Guidelines for exempting special-needs students

The statement of the American Evaluation Association (AEA) contained the most comprehensive list of concerns of any of the organizations. Of the twenty-two concerns noted in the position statements, the AEA directly addressed eighteen. In fact, they were the only organization to address the deprofessionalization of teachers and administrators, a concern frequently expressed by local protest organizations in the states that I considered.

The list of concerns that I gleaned from the position statements of the professional educational organizations proved to be very useful in analyzing protest activities. In keeping with the revision of *a priori* coding categories discussed by Stemler (2001), I incorporated this list into my coding of protesters' complaints. In fact, the list proved to be so exhaustive that I never encountered a protester complaint that could not be expressed comfortably by one of the items in the list. This in turn enabled me to recognize factors that influenced protest activity development differently from state to state. Furthermore, the publicizing of these concerns by professional organizations and by anti-testing organizations represents concrete examples of the framing processes. They are active communications between stakeholders that contribute to the evolution of a shared perception about the nature of the issue at hand and the nature of the issue's effect on the stakeholders. These concerns actually constitute the frames around which many grass-roots protest organizations built their protests. Based on the numerous instances of links from anti-testing Websites to the professional

organizations' position statements, it appears that the anti-testing organizations considered the statements to be valuable ammunition in their framing efforts.

In their attempts to voice these concerns, opponents of high-stakes testing have had to counter the effects of the framing efforts of high-stakes testing proponents who have deliberately manipulated the terminology associated with the accountability movement. Protesters have retaliated with some terminological manipulations of their own, often with the bite of sarcasm and humor that portrays the foolishness of policymakers' decisions. In a 2002 *Journal-Courier* news article that strongly criticized NCLB, University of Louisville professors E. Wayne Ross and Sandra Mathison first reworded "No Child Left Behind" as "No Child Left Untested." The phrase caught on with anti-testing movement supporters who considered "No Child Left Behind" to be a grossly manipulative misnomer. For example, a song written by songwriter Evil Factman features the lyrics: "No Child Left Untested; No Brain Cell Left Unrested; I'm Just the Child Left Behind." In a *USA Today* online article, Greg Toppo (2004), reports on another anti-testing protester, former Utah teacher Lily Eskelson, who wrote the phrase into a similar song that she presented at the annual meeting of the National Education Association:

> A bureaucrat came to our town.
>
> And at first we thought he jested,
>
> He said, "When I get through with you folks,
>
> There'll be no child left untested."
>
> If we have to test their butts off,
>
> There'll be no child's behind left.

Yet another anti-testing protest song using the same phrase appears in a CD collection of anti-testing songs produced by Cap Lee:

No child left untested,

Every student turning red,

Sweaty palms and headaches,

And stomachs filled with dread.

Oh, the teachers all are worried,

Hallways all are still.

Joy has stepped outside the door

'Cause someone broke its will.

(England, 2004. Reproduced with permission.)

Additional plays on the words "No Child Left Behind" have been used for framing purposes. An Ohio high school principal, George Wood, who was forced to deny graduation to his own son for boycotting the state-mandated exit exam, co-edited a book entitled *Many Children Left Behind,* which was highly critical of NCLB. Writer Gary Hardee (2004) wrote an article for the *Fort Worth Star Telegram* Entitled "No Farce Left Behind," in which he reported on harsh criticisms of NCLB policies expressed by Texas area education professionals who were afraid to speak up publicly.

Grass-roots anti-testing protesters have responded with other plays on words to frame perceptions of high-stakes testing. For example, a California teacher described rewards given to teachers for raising scores as "blood money" (Asimov, 2001). California teacher Susan Harman had hundreds of t-shirts made (which she sold to

raise funds for anti-testing protests) with the slogan "high stakes are for tomatoes" (May, 2001). Jane Hirschmann, chair of the Parents' Coalition for High Standards and Performance-Based Assessment, at Albany, New York rally in May, 2001, issued this battle cry in reference to New York State Education Commissioner Richard Mills' high-stakes testing policies: "Don't put our children through the Mills" (Ross, 2003). Other anti-testing slogans have been used by protesters in various states:

- Spay the FCAT

- High Stakes Tests are Anti-Enlightenment

- Schools Should Teach About Fascism -- But Not By Example

- We Support High Standards Not High-Stakes Testing

- More Testing Does Not Equal Better Schools

- Total Annihilation of Knowledge and Skills

- Walking standardized test score

- I am not in the equation of my education

Some well-known and/or publicly visible opponents of testing have used less-than-complementary language in protest of NCLB, state-mandated policies, and the high-stakes testing movement in general. For example, under the leadership of State Superintendent of Public Instruction Jack O'Connell, the California Department of Education (2005) came out publicly criticizing NCLB as a "One-size-fits-all model." Arianna Huffington, not one to soft-pedal her criticisms, described NCLB as "Bush's test-centric education bill," saying that it turns schools into "test-prep factories" where teachers must resort to "game-show-style teaching" (Huffington, 2001). She further criticizes the legislation for labeling schools with "The scarlet F" if they fail to meet the

requirements for adequate yearly progress, and describes the people hired to score

writing exams as "part time rent-a-readers" (Huffington, 2001). Dennis Fox describes

high-stakes testing policies as "faddish" (Fox, 2001, September), and refers to the big

business promoters of Massachusetts' Education Reform Act as "the corporate forces

that hi-jacked our schools" (Fox, 2001). Fox describes the MCAS as "a ludicrous, unjust,

education-destroying exercise" (Fox, 2000) and "the annual state-mandated education

abomination" (Fox, 2001). But perhaps Rich Gibson (2004), writing for Rouge Forum,

frames the high-stakes testing movement in the harshest and most dramatic terms in

his address to California high-stakes testing resistors:

> This is class war, now a very intense international war of the rich on the poor. That war, an imperialist war led by the ruling class of the US which has no intention, nor any possibility, of calling it off, is going to make odd demands of schools. Indeed, preparation for this war, which was an inevitable war and foreseen both by the ruling class and by radicals, began with curricula regimentation more than twenty years ago (available at http://www.pipeline.com/~rougeforum/justicedemands.html).

The volleying of words between big business representatives and anti-testing

protesters has been heated. In reference to big business support of test-driven

education reform, Assessment Reform Network activist Mary O'Brian says, "Big

corporations are engineering kids to be good compliant workers instead of good

democratic citizens" (FairTest, 2001). Another ARN activist and parent, Jenny Rytel,

says, "Big business came up with this ideology and then they used their vast wealth to

impose their idea of school reform on our schools" (FairTest, 2001). Responding to

these comments, Educational Testing Service, who stands to make huge financial gains

from the accountability movement, is quoted as describing FairTest protest tactics as

"throwing rocks from the sidelines," and IBM chairman Louis Gerstner accused them of "hiding behind the new bogeyman of testing" (FairTest, 2001).

A different sort manipulation of language that is reported to have been used by proponents of high-stakes testing involves manipulation by omission and/or distortion of facts surrounding high-stakes testing policies. For example, in his paper on Education Reform in Massachusetts, Bolon (2000) describes how the content of proposed education reform legislation was cautiously withheld from the public by big business supporters, with carefully chosen descriptions being offered on the most limited basis. According to Bolon (2000), a news report that simply stated that the bill called for "higher student achievement and curriculum standards" was "the most thorough description in mainstream news media from 1988 through 1992." Bolon asserts that the content of the legislation was based almost entirely on a document produced by the MA Business Alliance for Education, called "Every Child a Winner." The legislation, which was signed into law in 1993 and came to be known as the Education Reform Act, later spurred major statewide protests once the reality of the policies finally became known and its effects were felt. In the midst of massive protests, Robert Schwartz, president of Achieve, a nonprofit organization based in Cambridge, Massachusetts formed by governors and business leaders to help lead the national standards movement, gave this description of accountability legislation: "The purpose of the tests is to ensure that all schools maintain high expectations for all of their students. The standards movement is essentially an equity movement" (American Association of School Administrators, 2001). The terms "equity" and "high expectations" serve as inarguably positive ammunition for proponents of high-stakes testing such as President George W. Bush. In

response to Democrats' complaints about NCLB, he essentially uses the converses of these terms when he states, "We are challenging the soft bigotry of low expectations" (Noe, 2004, para. 1).

Understandably, the public, being fairly naive about the complexities of teaching and learning, might have initially viewed such carefully-framed test-driven education legislation as a necessary solution to *perceived* problems in education. Stephen Metcalf (2002) explains, "A quasi-religious, and very American, faith in education helped the rhetoric of accountability to resonate; people half-consciously believe that schools ought to be able to equalize life opportunity, regardless of grinding poverty in one district, booming affluence in the next" (p. 4). By appealing to the public --- and to members of opposing political parties as well --- with more general and positive connotations of words and phrases such as "accountability," "high expectations," "high standards," and "equity," politicians were able to push for approval of accountability legislation. The words of Ann Bancroft, spokeswoman for California Secretary of Education John Mockler, in response to protests over California's state-mandated tests, clearly demonstrate this dynamic: "What student is being harmed? What school is being harmed by a system that measures improvement and rewards improvement?" (FairTest, 2000).

The Internet linking process has greatly facilitated framing efforts on the part of anti-testing organizations. On their Websites, anti-testing organizations can potentially host a virtual library of research articles, books, facts about testing laws in the states concerned, and so forth, through which interested stakeholders can become informed about high-stakes testing policies and their potentially harmful effects on children and

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on education in general. In efforts to encourage stakeholder participation in collective action against these negatively-framed policies, organizations report results of their past protest actions, suggest resistance strategies and future plans of action, and recommend alternative approaches to educational accountability. Their Websites serve as clearinghouses of professionally written documents about the effects of high-stakes tests on stakeholders. A prime example of this can be found on the FairTest site (www.FairTest.org), on which readers can browse through fifteen different articles and statements about the harmful impact of high-stakes testing on curriculum and instruction. The list of titles includes "How Standardized Testing Damages Education," "Using Standards and Assessment, Why Standardized Tests Don't Measure Educational Quality," and "State Exams Flunk Test of Quality."

Another prominent Website that serves as an online journal for the Institute for Democracy, Education, and Access (IDEA: http://www.idea.gseis.ucla.edu/), features an "Educational Bill of Rights" that declares that every student deserves "the right to fair and authentic assessment that is used to measure and improve the quality of education students receive and supplementary educational services that respond to identified student needs" (IDEA, 2002). The online issue also features a statement by John Rogers, the associate director of IDEA:

> Educators and students are taking a stand against high stakes tests. This issue of TCLA reports on their experiences and the evidence that these tests undermine learning, harm students, and exacerbate racial and economic inequality. Teaching to Change LA joins these activists in arguing for all students to have authentic and appropriate assessments of their learning--assessments that would A) Allow students to demonstrate their competence in meaningful and authentic tasks and skills; B) Give teachers information about students' learning so that they can design the best lessons and provide targeted support; C) Communicate to parents and students about student progress towards academic goals. (IDEA, 2002)

The Teaching to Change LA (TCLA) Website (http://tcla.gseis.ucla.edu/voices) includes

links to statements from members of the anti-racist protest organization Coalition for

Educational Justice (CEJ). An interview with public school teacher and CEJ member

Alex Caputo-Pearl (Belcher, 2002) features his and his organizations' warnings about

the harmful impact of California's testing and accountability policies on low-income

communities and students with limited English proficiency:

> For the last few years, money has been tied to test results through the API (Academic Performance Index). Schools in the top 10% of income brackets have received disproportionately more income than schools in the lower income brackets. The practice of giving out relatively small amounts of money based on test score improvements covers over and obscures the need for a more expansive infusion of money in low income communities of color. Also, the high school exit exam will affect graduation for the class of 2004 and beyond. That's basically going to prevent thousands of students from getting a high school diploma. In the 2000 – 2001 testing exam Latino and Black students failed at twice the rate of White students. The same was true for low-income students in comparison to middle and high-income students. CEJ doesn't put out politics that says that any of these test results are the fault of kids. It's the fault of a system that 1) administers the Stanford 9 and the high school exit exam across unequal schools, 2) gives these tests only in English, and 3) pressures schools with the threat of a state takeover based on test results. What this often leads to, especially in schools that are most stigmatized by low scores, is teachers teaching to the test, which is also a narrowing of the curriculum. This leaves less room to demand things like ethnic studies or other classes. For all these reasons, CEJ believes that these tests have a racially discriminatory and class-biased impact (para. 1).

As mentioned previously, an important part of the framing process involves

promoting the belief that people can successfully enact change. Reflecting the need for

this in their efforts to build a coalition base, CEJ leader Eva Cifuentes says, "We have to

keep on looking for people who have a positive outlook on life and people who believe

that we have the power to change things, because we do. The more the government

officials attack us and want us to think we don't have any power, the more we will

challenge them" (Baranawal & Caputo-Pearl, 2002). Another strategy in this process

involves publicizing a protest group's successful prior efforts. An additional part of the

Caputo-Pearl interview (Belcher, 2002) featured on the Website demonstrates this:

> The range of programs have included rallies at schools, marches at schools, and working with the school board to bring a motion that will get the district to study alternatives to high stakes testing. Other tactics have included organizing delegations to talk with board members and senate and assembly members, as well as petition drives, letter writing campaigns, speaking at board meetings, developing alliances with other groups that are concerned about education, and passing motions within the teachers' union to get the union to take a progressive position on standardized testing issues. We've supported efforts to protect parents' rights to waive their kids out of the exams. We've also held media events and worked with legal organizations around protecting our rights to free speech on campus and our right to organize at schools (para. 3).

Regarding framing processes, I found both proponents and opponents of high-

stakes testing to be involved in framing processes. Proponents of high-stakes testing

have often avoided publicizing the content of high-stakes testing legislation or have

used Orwellian language to covertly manipulate public perception of high-stakes testing

policies. In turn, opponents have attempted to re-frame the public's understanding of the

issues by publishing position statements, newspaper articles, books, and pamphlets,

and have used sarcasm and humor to ridicule high-stakes testing policies and policy-

makers. I reported other examples of framing tactics employed by anti-testing protesters

that represent protesters' attempts to induce social change by attracting new recruits,

sustaining the morale and commitment of current adherents, generating media

coverage, mobilizing the support of various bystander groups, constraining the social

control options of policy-makers, and shaping public policy and state actions (McAdam,

in McAdam, McCarthy, & Zald,1996, pp. 339-340). All of these framing tactics are

evidence of the "conscious strategic efforts by groups of people to fashion shared

understandings of the world and of themselves that legitimate and motivate collective

action" (McAdam, McCarthy, & Zald, 1996, p. 6) that I discussed in Chapter II.

Mobilizing Structures

As explained previously, mobilizing structures are social and/or professional

organizations that provide political strength and leverage to the masses. They include

any formal or informal collective vehicles through which people gather to create

strategies for action. I will begin my discussion of mobilizing structures with the

Internet's influence on their evolution and success. Then, I will present several

categories of mobilizing structures pertaining to the anti-testing issue. The first

category pertains to organizations such as FairTest, Coalition for Authentic Reform in

Education (CARE), Students Against Testing (SAT), The New York Performance

Standards Consortium, and Parents Coalition To End High Stakes Testing, that were

created for the sole purpose of resisting high stakes testing. I found many of these

organizations to have more informal structures and to exist and operate primarily

through the Internet when they were not involved in direct action. Second, there are

social/political organizations such as the University of California at Los Angeles

(UCLA) Institute for Democracy, Education, and Access (IDEA), the Rouge Forum, the

National Association for the Advancement of Colored People (NAACP), and New

Democracy, that support a broad range of social and political issues of which their

concern about high-stakes testing is only one. A third category is professional

education organizations such as the Parent Teacher Association (PTA), National

Education Association (NEA), Massachusetts Association of School Committees

(MASC), California Teachers Association, National Council for Teachers of Mathematics, and the Georgia Association of School Psychologists, to name just a few. Because these organizations pre-existed as respected entities that often conduct or sponsor scholarly, objective examinations of various educational issues, their support can lend valued credibility to anti-testing protesters' demands. A fourth category is teacher unions that would come under the American Federation of Teachers, which is associated with the AFL-CIO. This category will be discussed later as it pertains to political opportunity. Finally, I will discuss a more recently-developing and less formal category of mobilizing structures known as "house parties."

Influence of the Internet

Once again I must note the influence of the Internet. As I formulated my study and began collecting data, I began a formative list of anti-testing Websites used by anti-testing organizations. Over the course of my study, the list grew to include forty-two separate Websites whose links are still active at the time of this writing. In fact, as I returned to the list to verify that the Websites were still active to begin writing my research findings, I found five new Websites in the process. For research purposes, the Internet has enabled me to locate and track connections between the various anti-testing organizations and individuals. More importantly, only in recent years has the Internet emerged as a primary mobilizing structure within which protest organizations and individuals themselves could develop. Geser (2001) explains, "The Internet promotes the emergence of large-scale collectivities from the 'grassroots level' because it enriches the arsenal of mobilization mechanisms by some extremely decentralized

and informal procedures which can start and expand easily outside any framework of formal organization" (para. 12).

Notably there are some major differences between the Internet and other media systems. Gamson and Meyer (in McAdam, McCarthy, & Zald, 1999) emphasize the roles of media such as radio, television, and newspaper "both as a political opportunity variable and a site of struggle about the nature of opportunity" (p. 290). They explain, "Its role as a validator for the larger society about whose views need to be taken seriously makes it a crucial target for movement efforts to open political space" (p. 290). In these media, news content is controlled by an elite group of editors and producers who make content choices that shape public perception. Charlotte Ryan (1991) says, "Far from being an objective list of facts, a news story results from multiple subjective decisions about whether and how to present happenings to media audiences. Newsmakers engage in a selection process, actively making sense out of an immense quantity of experience, selecting some points as critical, discarding or downplaying others" (p. 54). Although these media regularly reach vast and diverse audiences, their audiences do not actively select news topics and content. Therefore, audiences are exposed to a wide range of topics selected and edited by an elite group of individuals.

In contrast, the Internet is relatively unfettered by editing or censorship of topics and content. However, the audience for any given topic presented on the Internet is primarily limited to those who have prior interest or ties to particular topic or content. Geser (2001) explains, "Generally, then, we may expect that with the rise of the Internet, associational activities and developments of all kinds become more tightly determined by variables on the individual and the microsocial levels, while the impact of

mesosocial structures (organizations and institutions) declines" (para. 20). In turn, this rise in the importance of Individual and microsocial variables raises questions about what some call the "digital divide," which refers to the assumption that the influence of lower classes is hampered by their limited access to technology and tends to favor the influence of middle and upper classes. Though earlier scholars viewed greater access to technology as a factor leading to greater social privilege over those who were less "information rich" (Myers, 1998), more recent findings indicate that not only are activists using computer technology in the interest of those less privileged, the effect has been to decentralize power by improving the speed-to-cost ratio of communication between activists (Myers, 1998).

Grass-roots Organizations That Supported the Anti-testing Movement

In this section I will discuss several of the most influential organizations that have arisen with standards and accountability issues as their main focus. A more comprehensive list of anti-testing organizations/ individuals, area served, and Websites is shown in Table II in the Appendix. Internet Websites of these organizations have served as perpetual public newsletters through which anti-testing organization activists could inexpensively achieve national publicity for their grievances, recommendations, protest activities, contact information, and plans. The longest-standing anti-testing organization, the National Center for Fair and Open Testing (FairTest), which was organized in 1985, now maintains two Websites that support hundreds of links to journal articles, research reports, fact sheets, news articles, press releases, position statements, books, professional organizations, and other anti-testing organizations. Its

sister organization, Assessment Reform Network (ARN), was developed in 1999 to

serve along with FairTest as a hub for anti-testing activists. On their Websites are

descriptions of their goals and functions that clearly meet the McAdam's (1982)

definitions of mobilizing structures by providing political strength and leverage to anti-

testing activists. For example, on the ARN "More About ARN" the following description

appears:

> The ARN started as a loose affiliation of individual parents, teachers, civil rights leaders, researchers, and other citizens concerned with the wide range of issues surrounding standardized testing and test misuse. It has since grown to include newly formed parent-led groups that have sprung up at the grassroots level in many states and cities in response to the growing misuse of tests and the damage inflicted on their children and schools. Several of these groups are forming larger alliances with teacher unions and educational professional organizations, civil rights groups, parent and student organizations, and others.
>
> Participants engage in wide variety of activities as part of the ARN. The project hosts an email discussion group where over 300 participants nationwide discuss a range of issues related to education and testing reform. Another email group reserved for local ARN coordinators is devoted specifically to the work of organizing and mobilizing grassroots resistance. The ARN web pages at the FairTest site act as a central hub for the project where participants share a variety of written materials, training resources, research, news and recent events. Participants utilize the site to learn about organizing and communication with the media. The contact information for the ARN state coordinators and their organizations is available on the web; often newcomers find their way to a state group through a visit to the FairTest site. FairTest has co-sponsored a national conference on high-stakes testing and often helps participants to gather at other large meetings. The FairTest and ARN site are heavily utilized by reporters, researchers and the general public on a daily basis (available at http://www.FairTest.org/arn/about.html).

Multiple protest mobilization aids can also be found at the ARN site, such as links

to state coordinators, a media guide, an organizing packet, and a calendar of

planned anti-testing events.

The network between prominent anti-testing organizations has grown dramatically over the past few years, resulting in the coordination of efforts and personnel that can be tracked by the changes in their web addresses. For example, just since I began building the list of anti-testing Websites, the Massachusetts chapter of the Coalition for Authentic Reform in Education (MassCARE), an organization responsible for organizing some of the largest and most widespread protest activity in Massachusetts, has merged its Website with the Parents' Coalition for Authentic Reform in Education (ParentsCARE: see http://www.parentscare.org), partly due to the emergence of a new informational Website for Massachusetts healthcare legislation called MassCare. I also noted that many of the contact personnel listed on the ParentsCARE/MassCARE Website are also listed as state coordinators on the FairTest site. The California CARE group, CalCare (http://www.calcare.org), and the New York Performance Standards Consortium (http://www.performanceassessment.org/index.html) likewise have links back to FairTest and other anti-testing Websites around the country. Susan Harman of CalCARE (personal communication, July 16, 2006) recently confirmed that both CalCARE and MassCARE are actually affiliates of FairTest/ARN. The communication that these Websites facilitate on a national and even an international level strengthens them all. Speaking on behalf of CalCARE, Peter Farruggio (personal communication, April 3, 2006) supports this assertion and illustrates Geser's (2001) comments on the emergence of large-scale informal collectivities:

CalCARE is loosely structured. No governing body or executive board, no membership qualifications or responsibilities, no dues. Almost all of our founding members are educators (K-12 and university) who came together in the San Francisco Bay Area (Oakland) in late 1999 in response to messages on the FairTest.org listserv (Assessment Reform Network). Our initial meetings were motivated by a shared desire to create an organization to fight against the recently passed California high stakes accountability laws (Gov. Gray Davis' "X legislation"). There were about 20 people who came from throughout Northern California, but mostly from the Bay Area. Three or four of these were not educators, but had been active for years in local schools and PTAs. As a result of our aggressive propagandizing on listservs and some grass roots contacting in various school districts, our presence grew statewide within a year or two, and several loose "affiliates" sprung up across the state. Most of these people use our listserv (ca-resisters) to network. I'd say that CalCARE is now more of a movement or network than a formal organization.

Despite their informal structure, however, organizations such as CalCARE can be remarkably effective and responsive to the needs of the moment. On behalf of Oakland area CalCARE members, Susan Harman (personal communication, March 25,2006) reports that CalCARE has "co-sponsored legislative hearings, met with legislators, held forums, sponsored speakers, testified at hearings, organized schools, held press conferences, written letters to the editors, passed resolutions at professional organizations conferences (NCTE), passed resolutions at school boards (LA and San Francisco, e.g.), [and] passed teachers unions [resolutions] (locals and NEA)." More recently they had sponsored a conference on testing featuring speakers Gerald Bracey and Elaine Garan. She also reports how CalCARE has helped individual teachers and parents organize their schools and to connect with lawyers, support organizations, and teachers' unions.

Another example of an organization that has strengthened considerably through the expansion of its Internet links is Students Against Testing. This organization's Website has evolved over the last several years from a single-page Website to a

comprehensive mobilization structure that features a virtual arsenal of perspective-framing documents, booklets, and so forth, that are available at the click of a mouse (http://www.nomoretests.com). Examples include links to booklets on the history of testing, alternative assessment, and testing and race. There are links to state-level activist groups, national anti-testing organizations, and influential anti-testing activists such as Peter Sacks and Alfie Kohn. There are lists of ideas for test resistance, quotes on testing by influential people, and testing facts. Not only does the SAT Website feature an entire page of past protest efforts, it encourages participation by offering a comprehensive list of strategies complete with links to accompanying materials. It features suggestions and materials on how to be a local SAT coordinator by hanging up flyers, passing out petitions, holding an information forum, having an anti-testing pep rally, writing letters to public officials, and more.

Two relatively new anti-testing organizations are Texans for Quality Assessment (TQA) and the Organization of Proud Parents Opposing State Enforced TAKS (OPPOSE TAKS). Made up of educators, parents, and concerned citizens from across Texas, TQA organized the first large-scale anti-testing rally in Austin in 2003 under the leadership of Dr. Elaine Hampton from the University of Texas, El Paso. The TQA Website features a position statement, a lengthy list of Texas area organizations in supporting their efforts to end high-stakes testing, a set of printable slogans for use on buttons, signs, and stickers, and links to other anti-testing sites. OPPOSE TAKS is a grass-roots parent group who mainly oppose the "iron-fisted" approach of high-stakes testing. Its newly-restructured Website includes news archives, a media center for posting press releases and disseminating basic information to the media, an online

forum, links to supporting organizations, and a link to supporter Rep. Dora Olivo who has proposed a bill to end high-stakes testing in Texas.

Social/political Organizations Supporting the Anti-testing Movement

New Democracy (http://newdemocracyworld.org) is a prime example of an organization whose broader goals and principles encapsulate those of the anti-testing movement. Founded in 1992, their central goal is to work toward a democratic revolution that would equalize social and political power and give voice to the values of ordinary people. They provide a forum for education and debate on a wide range of topics such as labor, health care, gay rights, the justice system, and high-stakes testing. One of their mobilizing strategies was to create a "speakers bureau" of individuals who will speak at large or small gatherings on topics related to the organizations principles. Speakers include David Stratman, Susan Ohanian, Carol Doherty, and John Spritzler. Stratman, Ohanian, and Doherty have been particularly instrumental in the fight against high-stakes testing, supporting the movement through books, articles, and speaking appearances around the country.

A more localized social/political activist organization with an active Website is the New York Collective of Radical Educators (http://www.nycore.org). NYCoRE, began in 2002 over concerns about militarization and recruitment in New York public schools. By late 2003, however, NYCoRE had acquired a firm anti-high-stakes testing stance as well, incorporating an anti-high-stakes testing statement into their list of "points of unity" and finalizing their anti-testing plan of action. Their Website now includes a formal position statement on high-stakes testing (see

http://www.nycore.org/PDF/testingposition.pdf). Early the following year, NYCoRE held

an open meeting on high-stakes testing at Hunter College in Manhattan. Their initial

focus was their opposition to the third grade test. They spoke out against testing that

same month at the Panel for Education Policy (PEP) meeting, receiving their first

significant media coverage. At later PEP meetings, NYCoRE presented a mock lesson

in protest of the panel's plan to tie high stakes to New York's third grade test, and

reported facts to the panel and to mayoral candidate Charles Barron about the negative

effects of high-stakes testing. The same year NYCoRE made several radio and

television appearances protesting high-stakes testing, held several strategy-planning

retreats, and facilitated their first anti-testing workshop for the New York Social Forum in

Manhattan. In 2005, they continued protesting high-stakes testing at PEP meetings,

holding a silent protest on the courthouse steps during one of their meetings.

Another local social/political group located in the California Bay area is Coalition

for Educational Justice (CEJ). CEJ describes itself as "a multi-racial, anti-racist,

grassroots membership organization" (Baranawal and Caputo-Pearl, 2002). According

to Baranawal and Caputo-Pearl (2002), the membership of CEJ had roots in other

established political activist organizations such as the Labor/Community Strategy

Center, the United Teachers Los Angeles (UTLA) Bilingual Education Committee, the

California Consortium for Critical Educators, and progressive group called A Second

Opinion. Much in the same manner that MassCARE had evolved in the Boston/

Cambridge area, CEJ rose very quickly from a grassroots group of students, teachers,

and parents to broad-based group of more than 300 active members including

university professors, parent and student leaders, and teacher union activists.

Baranawal and Caputo-Pearl (2002) also explain how CEJ, similar to other anti-racist

education groups, must work at defining and establishing pragmatic relationships called

tactical alliances with other influential groups. For instance, it may find itself at odds on

some issues with United Teachers-Los Angeles, yet on other issues it may find itself

well-aligned with the organization. When the latter is the case, the two groups will work

together in mutual support. In order to secure support for its planned actions in May of

2000, CEJ formed such a tactical alliance with two Democratic Party affiliates that serve

on the Los Angeles School Board. Baranawal and Caputo-Pearl (2002) explain the

dynamics of this strategy:

> This nuanced approach to the union leadership and Democratic Party officials
> reflects a key piece of CEJ's strategy. The organization forms tactical, or
> temporary, alliances with stronger political forces whenever possible, but
> struggles with those forces whenever necessary. While CEJ's primary focus is
> always on building its own politically-independent base, these temporary
> alliances open up possibilities to win policy reforms, and provide opportunities to
> struggle with mainstream forces to bring them into more progressive political
> positions.

What is important to realize here is that this dynamic signifies the manner in which the

anti-testing protest groups must operate as well, tapping into the strength and resources

pre-existing groups.

Californians For Justice (CFJ) is a similar grassroots organization whose primary

goal is to work for racial justice at the community level. Although there were fewer

reports of this group in protest reports, they are a group that is growing in power and

influence in the anti-testing movement in California. Supporting a $1,000,000 annual

budget, they are currently looking to hire an executive director. Susan Harman

(personal communication, 2006) of CalCARE says that her organization lobbied CFJ

and convinced them to take on the California High School Exit Exam (CAHSEE) as their

primary cause, and describes them as "very effective." With the help of CEJ, they organized a state-wide bus tour to protest the exit exam.

The Rouge Forum (http://www.pipeline.com/~rgibson/rouge_forum/) is perhaps one of the more radical online activist groups. It has been influential in fighting state-mandated testing primarily in California but also in high-stakes test resistance around the country and beyond. Rich Gibson (personal communication, April 30, 2006), who claims the Rouge Forum's membership to be more than four thousand strong, also says that more than twenty-two thousand others, mostly from outside of the United States, visit their Website each month. Gibson reports that the membership consists of "parents, students in universities, community colleges, colleges, K-12 students down to middle school, community people, some union organizers in NEA [National Education Association] and AFT [American Federation of Teachers] and SEIU [Service Employees International Union], CSEA [California School Employees Association], and some industrial workers and grocery workers in CA" (personal communication, 2006). He says that their primary support comes from "rank and file people, low level union leaders and staff, mostly inside urban areas, but also in rural areas" (personal communication, 2006). Speaking on behalf of the organization, Gibson (personal communication, April 30, 2006) says:

> We hope to shut the tests down with massive boycotts. We believe freedom schooling, conducted outside of regular schooling, in the midst of civil strife, is probably superior to the day to day soldiering that makes up most schooling….We believe in direct action, not lobbying, etc. We educate via the Rouge Forum News and the WWW site.

Gibson reports that the Rouge Forum was instrumental in preventing administration of the Michigan MEAP, the Florida FCAT, and the California STAR tests, and that they

helped mobilize walkouts in late March, 2006 in Florida, California, Michigan, and New York. He speaks of the group's plans to participate in Mayday walkouts, of plans to set up study sessions for students to attend in lieu of participating in the tests, and of plans to hold conferences in following months.

Organizations such as the Mexican American Legal Defense and Educational Fund (MALDEF), NAACP, and American Civil Liberties Union (ACLU) entered into the battle over high-stakes testing when they began to see evidence of minorities being adversely affected by standardized tests that led to public school tracking and denial of promotion, graduation, admission, and scholarships. Supported by the testimony of Boston College Education Professor Walter Haney (see his article "The Myth of the Texas Miracle in Education at http://epaa.asu.edu/epaa/v8n41/), MALDEF brought suit in Texas in 1999 over the state's denial of diplomas on the basis on TAAS exit scores. The ACLU has been active in protests against the High School Exit Exam in California since 2002, working with the anti-testing group Coalition for Educational Justice (CEJ). In 1992 NAACP passed a resolution calling for its members "to resist the clamor to spend millions of dollars for the development of a national assessment system which will not solve our educational problems, but rather invest those funds into programs which will achieve the national education goals" (NAACP, 1992, National Assessments section). In 1997 the NAACP Legal Defense and Educational Fund brought suit against a Johnston County North Carolina school district's use of exit exams as a graduation requirement. A settlement in this suit resulted in the district's development of an individual student review system. They were part of a civil rights coalition that brought suit against the state of Michigan in 2000 over the state's merit scholarship selection

process, claiming that its reliance on standardized test scores was discriminatory against minorities. In a similar case in 2003, the NAACP and other civil rights organizations sued the UC Berkeley Admissions Department, saying that their admissions policy discriminated against minorities by depending too heavily on SAT scores. In 2004, NAACP sought plaintiffs for a proposed lawsuit challenging New York Mayor Bloomberg's policy of retaining third graders on the basis of their standardized test scores.

Professional Education Organizations' Support of the Anti-testing Movement

I have already presented the major concerns of several professional education organizations and will discuss them later as they relate to protest events. However, it is also important to mention how these organizations served as mobilizing structures. Although not all of the professional education organizations whose Websites I visited had published formal position statements on high-stakes testing, it is rare to encounter a site for a national level organization that does not give at least some attention to high-stakes testing issues. As mentioned above, I did find formal position statements on high-stakes testing for eleven national level organizations and two state-level organizations. With the exception of state affiliates of NEA, I found that state and local level associations tended to focus less on high-stakes testing issues than did the national level organizations. Out of the five states under consideration, state and local level associations in Texas and South Carolina exhibited the least mention of high-stakes testing issues. In Texas, the only mention of high-stakes testing issues was a single link on United Educators Association site and a link on Texas State Teachers

Association (affiliated with NEA). In South Carolina, the only reference I found to high-stakes testing or NCLB was on the site for the South Carolina Education Association (also affiliated with NEA), and this was in regard to supporting the Durbin Amendment to prohibit ESEA sanctions when Title I funding is inadequate.

In regard to questionnaires that I sent to various national professional education organizations and state/local organizations regarding their involvement in high-stakes testing issues, I only received responses from NEA, the New York PTA, and the Massachusetts Association for School Committees. I received a brief response from a representative United Educators Association of Texas saying that they were entirely too large to have time to respond to every questionnaire that comes through. Yet I received a lengthy response from NEA, the largest non-union professional education organization in the country. At first this seemed puzzling, until I realized that NEA has a large enough infrastructure to warrant a research department to attend to such matters. Based only on the lack of mention of high-stakes testing issues and the lack of response to questionnaires from the states of Texas and South Carolina, one might assume that high-stakes testing may simply be less of an issue in those two states. I will later compare these factors to protest development in those two states.

In regard to the other three states, support of anti-testing protests by professional education organizations has varied considerably. In New York, the state PTA has been somewhat involved in supporting anti-testing efforts there. Several references to high-stakes testing may be found in their "Where We Stand" position statement on their Website (http://www.nyspta.org/CMT/Publications/WHEREWESTAND200506new.pdf). The statement includes their opposition to the testing of young children and the

administration of tests over multiple days for extended times. According to their spokesperson Maria Fletcher (personal communication, March 18, 2006), the PTA has worked in partnership with the New York State Education Department on several committees where high-stakes testing has been an agenda item. However, I found only one instance in which the PTA actively spoke out in support of a protest, and that was in Scarsdale in May of 2001 during the first major boycott of Regents Exams.

In Massachusetts, where anti-testing organizations are strong and actively involved from 1998 until the middle of 2005, there are few reports of the professional education organizations becoming involved. However, in June, 2005, numerous professional organizations sponsored a joint press release warning of the detrimental effects of the Massachusetts Comprehensive Assessment System (MCAS) on failure rates based on an analysis of test score data. Organizations behind the report's release were the Massachusetts Association of School Committees, Massachusetts Association of School Superintendents, Massachusetts Elementary School Principals' Association, Massachusetts Federation of Teachers, Massachusetts PTA, and Massachusetts Secondary School Administrators Association. Although the report can be found on several education organization Websites, it is interesting that this report, issued at a State House press conference, never made it to the newspapers.

California professional education organizations have been more actively involved. NEA delegates voted in July of 2001 to support legislation to allow parents the right to opt out of state-mandated tests in California. The same month, the California Teachers Association (CTA) backed teachers in San Francisco, Piedmont, San Jose, and elsewhere in California when the teachers protested state testing by donating their

state reward money to scholarships and charities. In 2003, the CTA sponsored legislation (AB356) to remove the state's right to impose a high school exit exam as a graduation requirement. Later that year the California PTA issued a position statement in support of the bill. In 2005, the California Association for Bilingual Education (CABE) retained counsel to challenge California's English-only testing of English language learners.

In 2004, FairTest convened an alliance between more than eighty civil rights and education organizations that signed a joint organizational statement on NCLB (see http://www.FairTest.org/joint%20statement%20civil%20rights%20grps%2010-21-04.html) calling for specific changes and improvements to be made to NCLB based on many of the concerns which I addressed previously. Some major professional education organizations included in the list of signers are the American Association of School Administrators, American Association of University Women, American Federation of School Administrators, Association for Supervision and Curriculum Development, International Reading Association, International Technology Education Association, National Association for Bilingual Education, National Alliance of Black School Educators, National Association of School Psychologists, National Council for the Social Studies, National Education Association, National Indian Education Association, National Reading Conference, National Rural Education Association, and National School Boards Association.

In general, the state and local professional education organizations have acted as mobilizing structures for the anti-testing organizations in California, Massachusetts, and New York by providing contacts, supporting their efforts to educate the public on

high-stakes testing issues, and at times providing legal advice and support. On a

national level, they have lent professional credibility to protesters' concerns, particularly

through their published position statements and their endorsement of FairTest's Joint

Organizational Statement. In April, 2005, NEA joined forces with multiple school districts

and several state education associations to file the first national-level lawsuit against the

Bush administration for failing to properly fund NCLB mandates. Of all of the

professional education organizations examined in this study, NEA has provided the

most active support of the anti-testing movement. The following paragraphs discuss a

very important mobilizing structure that has been a unique contribution of NEA in its

ongoing support of the anti-testing movement.

House Parties

In 2004, the National Education Association organized what was touted to be

"the largest mobilizing event for public education in U.S. history" (Hannah-Jones, 2004,

para. 3). Networking with local affiliates across the country, NEA encouraged local

teachers and parents to host *house parties* to inform the electorate on the education

policies of 2004 national and state political candidates. Nearly 4,000 gatherings were

scheduled across the country by local members who sent out invitations to other groups

such as PTA and local teacher associations whose members could register through a

special Website set up by NEA at www.greatpublicschools.org. NEA expanded its

efforts in 2005, adding to its Website a "House Party Tool Kit" with step-by-step

instructions on how to conduct a successful house party, including icebreakers,

discussion starter-questions, a seven-minute video on NCLB, and tips for involving the media.

Not surprisingly, the NEA and their meetings were criticized as being "anti-Bush." Although the meetings were publicized by NEA as non-partisan attempts to examine current education policy issues, Hannah-Jones (2004) reports that the NEA also describes NCLB as, "Intrusive, inflexible and punitive to hard-working teachers while failing to provide enough money for schools to comply" (para. 8). Hannah-Jones (2004) quoted Don Soifer of the conservative think-tank Lexington Institute as saying, "This has been part of a systematic and consistent effort on behalf of the NEA to undermine and attack the basic principles of No Child Left Behind; it is being done in a way that is certainly hostile to the Bush education policy" (para. 6). U.S. House Education and the Workforce Committee Chairman John Boehner (R-OH) issued a September, 2004 press release (see

http://edworkforce.house.gov/press/press108/second/09sept/nclb090904.htm)

condemning the house parties and urging members of congress to read a study completed by another conservative think-tank, Manhattan Institute, which says:

> The Manhattan Institute study greatly undermines arguments being made this month by a collection of left-wing political groups that have launched an assault on the bipartisan No Child Left Behind Act in their quest for lower education standards and spending without accountability, Boehner said. The National Education Association (NEA) has joined forces with other radical liberal organizations such as MoveOn.org (which posted material on its Website likening President Bush to Adolf Hitler), and is spending an undisclosed sum of money to promote a September 22 "house parties" event attacking President Bush's education reforms (para. 3).

Notably, the reactionary nature of the press release is demonstrated by Boehner's deliberate use of conservative-oriented framing language within its text. He employs

words and phrases sure to touch nerves such as "assault," "attacking," "quest for lower education standards," and "spending without accountability." He also uses "bipartisan" to separate the "liberal" critics from mainstream thinking and couples that isolation with guilt by association connections to MoveOn.org.

The NEA's mobilization of these house parties clearly demonstrates the concept of latent or indigenous organizational strength. This professional education organization was created to represent teachers on a diverse array of education issues, not merely as an anti-testing protest organization. However, as was true with the NAACP and that organization's involvement with black insurgency in the 1960s, NEA's overall organizational structure, agenda, and its pre-existing nationwide networks served as a sound armature around which anti-testing protests could be built.

Political Opportunity

I have previously defined political opportunity as the spatial/temporal convergence of social and political forces favorable to protest efforts. My original working list of components of political opportunity included the presence of allies, the existence of political access points, levels of repression of marginalized groups, degrees of openness of the polity, divisions within the elite, and the state's policy implementation capacity. In regards to these aspects of political opportunity, I found it necessary to create profiles of each state that would illumine the very complex social and political dynamics that may have contributed to political opportunity in each of the five states under consideration. In spite of the fact that NCLB mandates have leveled the field of accountability expectations somewhat, I discovered that the manner in which

those expectations are played out within the context of individual states differed greatly. Therefore, I collected and examined data from the five states in the following categories: poverty indicators, student ethnicity, dropout rates, landmark legislation, accountability policies, political affiliations of governors and state legislators, degree of support for high-stakes testing policies on the part of state leaders, and collective bargaining policies. It is these findings that I wish to report on in this section, noting briefly how they relate to political opportunity. A later section will provide a deeper analysis of my protest findings using all three components of the political process model.

State-to-state Variations in Student Ethnicity, Poverty Indicators, and Dropout Rates

I was interested in whether various demographic factors affected the emergence of protest activity in the five states by creating or inhibiting political opportunity, so I looked for the most recent figures on student ethnicity, unemployment, poverty ratings, and dropout rates that would be consistent from state to state. I found student ethnicity figures for the 2001-02 school year, 2005 unemployment and poverty ratings, and year 2000 dropout rates for the five states (see Table III, Table IV, and Table V in the Appendix). Understanding that there are many ways that dropout rates are calculated, I went to the U.S. Census Bureau to be certain that the figures I obtained for the five states had at least been calculated by the same formula. Unfortunately, the latest figures that I could find were from the year 2000, which does not give a clear picture of recent developments, particularly in Massachusetts. I noted that Massachusetts showed the lowest percentage of minority students (<25%), the lowest unemployment rate (4.8%), the lowest poverty rate (9.7%), the lowest year 2000 dropout rate (6.6%), and

the highest per capita income of the five states. However, according to several articles

(see http://www.massadvocates.org/mcas__dropout_data and

http://www.massparents.org/news/2005/mass_dropout_rates_rise.htm), the state's

dropout rate has been on the rise. This phenomenon is interesting in view of the fact

that Massachusetts has one of the most active anti-testing protest movements in the

nation. Furthermore, those protests were mainly spearheaded by middle- and upper

middle-class families concerned about the test's effects on quality of learning, which

could be an indication that perhaps affluence increased the availability of political

access points to some degree in that state. However, California showed by far the

largest percent of minorities (65%), had relatively high unemployment rate (5.4%),

poverty rate (13.2%), and dropout rate (10.1%) compared to Massachusetts, and yet it

had nearly as high a volume of anti-testing protests. I also found it interesting that

California had the largest number of Hispanic students of any of the five states, a factor

that is consistent with the fact that in 71% of California protests, the lack of attention to

students with disabilities/language differences appeared as a protester concern. Texas

showed the highest poverty rate (16.7%), a minority population of greater than 60%,

and the highest dropout rate (12.5%) of the five states, and showed very little protest

activity compared to Massachusetts and California. South Carolina, for which I was

unable to find a single act of protest, showed the highest unemployment rate of the five

states (actually the second highest in the country, at 6.8%) and the lowest per capita

income. However, its poverty rate was a median for the five states(13.8%), its minority

rate is less than 50% (mostly African American), and its dropout rate is relatively high

(11.2%). New York's minority population compared very closely to South Carolina's, but

its unemployment rate, poverty rate, and dropout rate were considerably lower. New York has had considerably more protest activity that Texas, but not nearly as much as California and Massachusetts.

State-to-state Variations in Collective Bargaining Policies

I collected data on collective bargaining laws in the five states to determine whether they had any effect on political opportunity, particularly whether strong union structures existed that would tend to provide political access points and whether teachers had the legal right to strike. I found that only one of the five states, South Carolina, had no collective bargaining law. However, I did find that South Carolina did have a "right to work" law, which is a law that prevents "collective bargaining agreements from containing union security clauses that require workers to support and share the costs of union representation" (ECS, 2002, State Policy table). I found it interesting that the ECS report listed Texas as having no collective bargaining policies, yet I verified through the *Encyclopedia of Everyday Law* (see http://law.enotes.com/everyday-law-encyclopedia/teacher-s-unions-collective-bargaining) that Texas does have both a right-to-work law and a law prohibiting collective bargaining and striking by public employees. California, Massachusetts, and New York all have laws permitting public school teachers to participate in mediation and fact-finding collective bargaining procedures (Massachusetts and New York citizens may also participate in voluntary arbitration). Those three states also prohibit strikes by public school teachers. Surprisingly, I found only two instances where teachers unions were mentioned in connection with Massachusetts protests, and two instances in

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California. However, Rich Gibson (personal communication, 2006) claims Rouge Forum's membership to include some union members, which may indicate more behind-scenes support than was evident in protest reports. In fact, the American Federation of Teachers now has a statement that is highly critical of the effects of NCLB and recommends changes (see http://www.aft.org/topics/nclb/index.htm). Gibson also indicated, however, that support for the anti-testing movement has come more from low-level union leaders than from the unions themselves.

Political Leaders in the Five States: Political Affiliation and Level of Support of Testing Issues

I found the Project Vote Smart Website to be a priceless resource for obtaining information on the political leaders in the five states included in the study. There I found data regarding individual state leaders' support of issues related to standards and testing as reported in the National Political Awareness Test (NPAT). Unfortunately, a large percent of political leaders chose not to respond to the test, which limits the inferences that I can make from the data that were available. However, I have been careful to note in my tables (see Table VII and Table VIII) the percent of state leaders responding, the political affiliation of each leader, and the percent of Democrats and Republicans responding to the NPAT. I noticed that considerably more Democrats responded to the NPAT than did Republicans. However, noticeable differences in support of issues can be observed. Furthermore, I also observed relationships between the volume of anti-testing protests and the political affiliations of state legislatures.

I first observed the fact that all five states under consideration in this study have Republican governors. However, three of the states have Democratic majorities in their state legislatures. There are 73 Democratic compared to 46 Republican state legislators in California. In New York, the number of Democratic state legislators (133) is nearly twice the number of Republican legislators (79). In Massachusetts, the number of Democratic legislators (137) is nearly seven times the number of Republican legislators (20). The states showing a majority of Democratic legislators coincide with the three states whose volume of protest was the greatest, a factor that may indicate the presence of strong allies for the anti-testing movement within the Democratic Party.

I also found a relationship between political party affiliation and support of standards and testing issues as reported on the NPAT. The two response items that referred to standards and testing issues were:

- Support national standards and testing of public school students.

- Require public schools to administer high school exit exams.

Although I found the first response item a bit problematic (because it actually pairs two completely different issues), there was still a relationship to party affiliation. In every state except South Carolina, the percent of Democrats indicating support of the two issues was lower than that of Republicans. In South Carolina, 6% more Democrats than Republicans indicated support for the first issue; an equal number of Democrats and Republicans supported the second issue. Once again, there is a noticeable relationship between the volume of anti-testing protests and these indicators of support that appear to be divided down party lines.

Landmark Education Legislation Indicating Political Support for High-stakes Testing

As mentioned in Chapter II, Title I legislation stimulated a surge in standardized testing use in the 1960s as federal funding became linked to student performance. Use of often-misaligned accountability measures continued to rise throughout the 1970s (Sacks, 1999). Another wave of reforms occurred in response to *A Nation at Risk* in the mid-eighties. *President Bill Clinton's Goals 2000: Educate America Act* led many states that had not previously developed course content standards to do so in the late nineties. The strongest influence, however, has come from the requirements of NCLB to increase student testing in multiple subjects. Although NCLB does not itself require a high school exit exam, all five states examined in this study currently have mandatory high school exit exams as a graduation requirement. Only one state --- California --- allows students to opt out of any standardized tests, and the state is still wrapped in controversy over its high school exit exam graduation requirement.

Of the five states under consideration in this study, California has the longest and most complex history of education accountability reforms of the five states and was the first to adopt statewide assessment policies (see Table III). The state administered its first statewide assessments in 1961 under the California Assessment Program (CAP). This continued until California jumped on the education reform bandwagon in 1983 with its Hughes-Hart Educational Reform Act (Senate Bill 813). Spearheaded by Senator Gary Hart, this brought the first standardized curriculum, more rigorous graduation requirements, incentives for better teachers, textbook changes, a longer school day, and "higher standards for schools" (Sinis and Roda,1995). Five years later, the California legislature passed Proposition 98 authorizing the School Accountability

Report Card (SARC), requiring each district school board to submit a district-level report card to the state accounting for spending. In 1991 Governor Pete Wilson signed a new exam program into effect under the California Learning Assessment System (CLAS). In 1995 Wilson also signed AB 265, which created statewide content and performance standards and set a timeline for their implementation. Senate Bill 376, passed in 1997, produced the Standardized Testing and Reporting Program (STAR). SB 376 required the exam to be administered to every student in grades two through eleven, and required Special Education and Limited English Proficient students to take the exam unless exempted by a formal Individual Education Plan. Two years later the Pupil Testing Bill (SB 366) was passed granting a six-month extension for the state to complete development and adoption of performance standards, but then required that the STAR be aligned with those standards thereafter. As a follow-up to the earlier (1988) Proposition 98, the legislature passed the 1999 Public Schools Accountability Act, which authorized individual school accountability report cards and provided for rewards, sanctions, and interventions on the basis of Academic Performance Index (API). Also in 1999, the California legislature passed SB 2x authorizing the California High School Exit Exam (CAHSEE) as a graduation requirement, a law that drew immediate public criticism. In response, the legislature adopted AB 1609 in 2001, requiring the state to sponsor an independent study of the use of the exit test as a graduation requirement, and authorized the state education board to postpone the exit test requirement if it so decided. That same year, SB 233 provided for further revisions of STAR, added standards-based science and history exam for one upper elementary or middle school grade, and eliminated the history/social science requirement of the

Stanford 9 as of 2003. Another big revision of the state testing program occurred in 2003. Under AB 356, staff incentive awards were repealed as was all standardized testing in grade two with the exception of diagnostic testing. The CAHSEE requirements became even more complicated under this bill that once again delayed the state requirement of the exit exam for graduation but authorized individual school districts to require it for the time being. In 2000, ten California school districts sued the State of California for requiring CAHSEE as a graduation requirement for disabled and LEP students. In response to that collective action, Senate Majority Leader Gloria Romero (D, Los Angeles) proposed a bill (SB 586) that would provide an exit exam waiver for disabled and LEP students if other conditions were met. Although the bill passed both houses, it was vetoed by Governor Schwarzenegger because the proposed version of the bill excluded many previously negotiated conditions. A 2005 revised version of that bill, SB 517, has provided a one-year exemption from exit test requirements for disabled and LEP students. Litigation still continues on this issue.

In 1978, under Governor Richard Riley, South Carolina passed its Basic Skills Assessment Act mandating skills-mastery testing in reading, mathematics, and writing. Building on previous legislation, a coalition of business leaders, legislators, and educators appointed by the governor and under the leadership of Superintendent of Education Dr. Charlie G. Williams, produced the Education Improvement Act (Act #512) that was passed in 1984. The EIA provided for higher attendance standards, financial performance initiatives, increased teacher training requirements, established school-business partnerships, raised promotion and graduation requirements, and established a new evaluation system for teachers and administrators. Five years later,

Superintendent Williams once again was a key figure in the adoption of "Target 2000: School Reform for the Next Decade." According to the National Center for Family Literacy (2003), this act initiated a competitive grant process that encouraged development of comprehensive educational and support services for parents and children. It provided a parent education program for parents of preschool children that included home visitation, group activities, community services, adult education and literacy enhancement, child care, transportation, health care, counseling, children's educational services, referral services, staff training, and program evaluation. It also established drop-out intervention programs and refocused instruction and assessment on higher order thinking skills. Later, under Governor Carol Campbell, Senator Nikki Setzler and House Chairman Olin Phillips sponsored the Early Childhood Development and Academic Assistance Act, a comprehensive support system for at-risk students which was passed in 1993. This act required districts to provide parenting/family literacy programs by creating partnerships with health and human service agencies, adult education programs, and community organizations. It also required districts to actively recruit parents of at-risk children and to provide educational opportunities for them where needed. Only after this comprehensive support system was in place did South Carolina legislators adopt the 1998 Education Accountability Act (Act #400). The EAA established the Education Oversight Committee, an "independent, nonpartisan group made up of 18 educators, business people, and elected officials who have been appointed by the legislature and governor to enact the South Carolina Education Accountability Act of 1998" (South Carolina Education Oversight Committee, 2005, About Us section). The act required "the entire community, from the Governor to

individual students to be held accountable for student achievement" (South Carolina School Improvement Council, 2001, para. 6). It also established specific standards, and then enacted a high school exit exam, end-of-course exams (grades 9-12), and exit exams (grades 3-8) that were aligned to those standards in specified courses. It required academic plans for students who tested below grade level, a 4-yr. cyclical review of standards and assessments, and intervention in low-performing schools. Finally, it established two school performance ratings --- one based on absolute performance and the other based on rate of improvement, and then provided a reward system based on those ratings.

As did California and South Carolina, Texas began enacting accountability legislation fairly early. William Clements, who was the first Republican to win the governor's seat in Texas since Reconstruction, ran on a campaign platform that included promises to return to "the basics." In 1979, Governor Bill Clements signed into effect Senate Bill 350, under which Texas initiated its first basic skills competency test, the Texas Assessment of Basic Skills (TABS), administered in third, fifth, and ninth grades. He also signed into effect Senate Bill 477, which established bilingual education and English as a Second Language (ESL) programs for students with limited English proficiency. Clements was defeated in 1982 by Mark White, who continued education reforms under the heavy influence of business leader H. Ross Perot. During the period from 1983 to 1984, with *A Nation at Risk* reverberating in the minds of people around the country, the Texas legislature produced some of the most sweeping education reforms in the history of the country. Under House Bill 246 (1983), a statewide uniform curriculum was established for all grades. The following year, under

House Concurrent Resolution 275, the Select Committee on Public Education was created with Perot as its leader. The committee's recommendations for education reform resulted in House Bill 72, which established the Texas Essential Elements, The Texas Educational Assessment of Minimum Skills (TEAMS), the "no-pass, no play" rule, teacher competency testing (TECAT), and the first high school exit exam. Over the next several years after TEAMS was implemented, concerns arose in Texas and elsewhere about the possibility that minimum skills tests might result in a lack of instruction aimed at higher-order thinking skills. In an attempt to remedy that dillemma, the Texas Education Agency implemented the Texas Assessment of Academic Skills (TAAS) in 1990. Throughout the 1990s reports rang out in Texas about remarkable increases in achievement and decreases in dropout rates that were attributed to these high-stakes testing policies. However, the now famous report, "The Myth of the Texas Miracle" (Haney, 2000) showed that this success was merely an illusion. An even more difficult assessment called the Texas Assessment of Knowledge and Skills, that required students to pass exit exams in math, English language arts, science, and social studies in order to graduate, was implemented in 1999, with the new graduation requirement taking effect in the 2003-2004 school year.

Although education accountability legislation in New York and Massachusetts has been quite simple and recent relative to the other three states, it has been nonetheless controversial. The protests in Massachusetts that I will report on below have all stemmed directly from Massachusetts' 1993 Education Reform Act. The law, which was kept under wraps from the public for the most part, was supported by Massachusetts Board of Education Chair John Silber, by John C. (Jack) Rennie and S.

Paul Reville (leaders in the Massachusetts Business Alliance for Education) and CEOs

for Fundamental Change in Education (supported by the conservative think-tank

Pioneer Institute), and Governor William Weld. This law provided:

- Statewide curriculum frameworks and learning standards for all students in all core academic subjects

- Authorized the Massachusetts Comprehensive Assessment System (MCAS);

- Established a mandatory graduation exam

- Allowed the State Board of Education and the Commissioner to establish criteria for rating performance of schools and districts

- The state's right to take over "under-performing" schools

Similarly, New York protests have occurred as the result of even more recent (2000)

accountability legislation: The System of Accountability for Student Success, which was

adopted under the influence of Robert M. Bennett, chancellor of the New York State

Board of Regents. The law established:

- State curriculum standards

- Proficiency-based testing for core academic subjects

- High school exit exams in math and ELA

- Performance levels for schools

- Designations for schools not meeting state standards:

  - "Schools Under Registration Review" (SURR)

  - "Schools in Need of Improvement"

  - "Corrective Action Schools"

To summarize, all five states initiated high school exit exams as a graduation

requirement by or before the year 2000, even though they were not required by NCLB.

As will become evident in the next section, high school exit exams played an important role in stimulating protests. Yet this has not been the case in all five states. In some instances, as I will discuss later, the exams were perceived by some citizens and groups as repressive to marginalized groups such as those students with disabilities, low socioeconomic status (SES), or limited English proficiency, and have resulted in bitter protests. In other cases, they have led disabled or LEP students simply to skirt the law by dropping out and seeking a GED. In still other cases, the accountability laws have been perceived as repressive of citizens' rights to quality education, leading to protests that have seriously hampered the states' ability to implement their accountability policies without suffering repercussions under NCLB. In yet another situation, the relatively closed nature of the educational institution during development of accountability legislation allowed for initial passage but has suffered repercussions ever since. Therefore an accounting of these policies was necessary in understanding at least three aspects of political opportunity: repression of marginalized groups, the relative openness/closure of the polity, and the states' ability to implement policy.

Verbal Challenges, Lawsuits, Boycotts, Strikes, Sit-ins,

and Other Acts of Protest

In this section I will present my findings from my content analysis of available Internet documents of anti-testing protests in the five states under consideration. I present the findings chronologically for better comparison of state-to state protest development. The varying lengths of time periods in each section is due to variations in the numbers of protests that occurred during a given time span.

Protests in Massachusetts, California, and New York in 1998 and 1999

The earliest protest report dates back to November, 1998, from Massachusetts (see http://www.FairTest.org/MCAS%20Review%201.pdf). This protest, mild compared to many later instances, came in the form of an open verbal challenge directed at the state over the state-mandated standardized tests (MCAS) recently implemented as a part of Massachusetts' 1993 Education Reform Act. Not long after the first round of MCAS tests were administered in 1998, a group of concerned public school teachers, university professors, and education advocates mostly from the Boston and Cambridge areas formed an ad hoc committee along with members of FairTest for the initial purpose of seeking the public release of the tests and accompanying data. Committee members, who had initially supported education reform, had now become so concerned about the length of the tests being forced upon students (fourth graders were subjected to seventeen hours of tests) and the quality of the test items that they conducted a formal test content analysis that was released to the public. The committee, also concerned about media treatment of score reporting and the resulting negative public perceptions of public schools, scheduled a media awareness event to encourage responsible reporting of test results. At this point in time, the Board of Education was relatively open and responsive to the concerns of the committee. As a result of the committee's efforts, Massachusetts Board of Education officials acknowledged that fourth grade test was inappropriately long, and promised to improve the quality of the test for all grades. The BOE also agreed to make the questions used in scoring available to the public.

In the months to follow, newspaper columnist Dan Greenburg published a series of five weekly op ed columns in the *Metro-West Daily News* blasting the MCAS and Education Reform Act policies (see http://www.FairTest.org/arn/masspage.html). Headlines in his series ran:

- "MCAS Tests' Fundamental and Dangerous Flaws"

- "Education Reform Will Ultimately Damage the Children"

- "MCAS is Testing for Unnecessary Knowledge"

- "The Fatal Flaws of MCAS"

- "Say It Again: The MCAS Emperor Has No Clothes"

In these columns Greenburg expresses concern about the general lack of appropriate meta-evaluation of Massachusetts' testing programs prior to their implementation. He criticizes the way schools were being forced to narrow the curriculum, the state's apparent lack of confidence in teachers' and administrators' ability to gauge student achievement, the use of labels and sanctions, the lack of relevance of test content to real life practice, and the detrimental psychological effects on children. He speaks of the "sheer hypocrisy" of the reform policies, calling them "massively coercive" and calling for the masses to rebel (Greenburg, 1999):

> It is time for people to stop accepting what is patently unacceptable. Parents must protest loudly and continuously. Teachers must, as a group, simply refuse to administer the exams, and they should have the backing of their principals and superintendents. The only way the devastating effects of educational reform will be avoided is by the kind of grass-roots resistance of the great mass of sensible people, who recognize it for the sham that it is. (para. 10)

In Greenburg's case, the newspaper itself could be viewed as a mobilizing structure in the sense that it provided the vehicle with which he delivered his harsh criticisms and demands for protest. His open and blatant remarks framed the MCAS as a serious

threat to the public. Not long afterward, the Coalition for Authentic Reform in Education (CARE), an organization that gained widespread influence in the anti-testing movement throughout Massachusetts, published its concerns in an online position statement (view the statement at http://www.FairTest.org/arn/CARESTAT.html) that appealed to the public to scrutinize policies and resist abuses.

Not surprisingly, the following administration of the MCAS in the spring of 1999 was met with fierce protest. A student in Newton refused to take the test, calling it "disruptive to the curriculum." His actions were met with threats of suspension, but he was later only given a failing grade on the test. Fifty-eight students from Danvers High School in the Boston area signed a petition in opposition to the effects they believed the MCAS was having on their education. One Danvers student was arrested for refusing to take the test, and seven key students in the petition drive were suspended. Parents and teachers later joined in the rebellion.

By December of 1999, resistance was escalating. A science teacher associated with the Assessment Reform Network had blasted the MCAS in a local newspaper, decrying the MCAS for its detrimental effects on the quality of education. When a sixth grade teacher from Hatfield invited teachers and parents opposed to the tests to attend a small meeting, over one hundred fifty interested people showed up, including Mary Ginley, Massachusetts "Teacher of the Year" for that year. The resulting group joined forces with MassParents, the Cambridge chapter of CARE, and approached the Cambridge Schools Committee requesting that "no action would be taken against boycotters or teachers and administrators who spoke out against the test" (Swygert, 2002, para. 6). As a result, the Cambridge Schools Committee approved a policy

guaranteeing that there would be no reprisals against students who boycotted the test or against teachers or administrators who spoke out against the test. This freedom from fear of reprisal resulted in widespread boycotting of the test in Cambridge. In nearby Amherst, twenty percent of sophomores boycotted the test, after which the Amherst schools committee voted to request that the state not use the test as a graduation requirement.

That same year marked the onset of anti-testing protests in New York and California as well. In New York in the spring of 1999, one large, successful protest by parents and teachers resulted in the New York's Board of Education canceling the second grade reading test that was criticized heavily in a position paper written and submitted to the state board of education by researcher and author Brenda Engle (see http://www.FairTest.org/arn/2gradeny.html). Although it was two years before another newsworthy protest occurred in New York, a rash of protests erupted in 1999 in California that continues to this day. In May of 1999, more than forty Marin County students walked out on the California STAR exam, criticizing officials for offering the test only in English despite the large percentage of Spanish-speaking students. The students handed out pamphlets that said, "Stop government racism and standardized testing" (Pendleton, 1999). This same group of students then mounted a letter-writing campaign to the local school board, the state board of education, and the governor. Apparently due to the fact that the students had briefed their principal on their plan to take a stand on the issue, the principal chose not to take disciplinary action against the students.

Protests in Massachusetts and California in 2000

Protests continued to escalate in the year 2000 in both Massachusetts and California. By February of 2000, the Los Angeles anti-racist organization Coalition for Educational Justice (CEJ) had adopted the anti-testing cause and convinced the local school board to drop all but the state-mandated sections of the Stanford 9 exam. Meanwhile, the California equivalent of MassCARE, CalCARE also became concerned about California accountability laws adopted the previous year. During the year 2000, CalCARE co-organized a parent boycott of the SAT9 at Rosa Parks Elementary in Berkeley, sponsored a fund-raising talk by Alfie Kohn at Oakland High School that attracted a thousand attendees, sponsored a panel presentation by UC Berkeley professors Eugene Garcia and Pedro Noguera, and arranged for an anti-testing speaker at Washington Elementary School in Oakland (Peter Farruggio, personal communication April 3, 2006). Both CEJ and CARE sought to tap the "latent organizational strength" (McAdam, 1982) of pre-existing urban activist groups and anti-testing groups such as FairTest.

In the spring of 2000, propelled by the momentum gathered the previous spring, protests in both states rose to a new level that now involved local school boards, public school teachers, and university administrators. In Massachusetts, the Arlington School Committee issued a letter of complaint about the MCAS to the State Board of Education in the form of a formal resolution urging "the Department of Education and the state legislature to delay the implementation of the graduation requirement in order to re-assess the MCAS, to reevaluate the frameworks and to determine their impact in our classrooms throughout the state" (Arlington School Committee, 2000). In California,

Marin County school trustee Richard Raznikov handed out boycott flyers on test day at Drake High School until he was stopped by a campus guard. Eugene Garcia, dean of UC Berkeley's School of Education, spoke out openly against state testing policies at multiple anti-testing meetings, at one point encouraging parents to keep their students home on testing day saying, "We have created a monster and the monster is loose. The only way to escape the monster is in the parents' hands" (Shafer, 2000). Garcia eventually resigned his position on an advisory committee to the California Board of Education.

Public school teachers and administrators in both California and Massachusetts began to speak out and participate in boycotts during this same time period. According to FairTest, teacher Jim Bougas of Harwich, Massachusetts, was one of several teachers who refused to administer the MCAS. Although he was suspended for his refusal, teachers in other districts were not suspended for similar actions. Massachusetts 1998 "Teacher of the Year" Mary Ginley wrote a letter to the editor of the Union News saying that Massachusetts education reform policies were "using children as pawns in a political game to prove how bad our schools are" (Ginley, 2000, para. 7). Teacher Michael Roberts of Salinas, California was threatened with suspension after he refused to sign an affidavit for the administration of the Stanford 9 test. Another California teacher published a research report on an anti-testing Website framing the SAT 9 as flawed and inappropriate. Teacher Susan Harman from East Bay, California, had hundreds of t-shirts made that said, "High stakes are for tomatoes," and, "Stop high-stakes testing, "and then sold them to raise money for the anti-testing cause. California teachers and principals from around the state began encouraging parents to

keep their children home on testing day. Principal Dale Jones of Saratoga, California wrote about problems with the state test in his school's newsletter. Another Saratoga principal, Peggy Bryan, vowed to send back any bonus that the state tried to give her for raising scores, calling it "blood money."

Anti-testing organizations also grew in strength and influence that year in California and Massachusetts. Tiffany Danitz (2000) of Stateline.org quotes Gary Natriello of Teachers College at Columbia as saying, "For the first time this [school reform] is hitting middle-class white people in the suburbs, and those are people who tend to know how to work the political system" (para. 14). MassCARE collected more than 12,000 signatures on a petition requesting the Massachusetts Board of Education to eliminate the use of MCAS as a requirement for graduation, and published an open letter warning about predicted dramatic increase in the dropout rate. FairTest followed later with an article citing recent statistics backing substantiating MassCARE's claims. A new group that called itself Students Organizing Against MCAS published an anti-MCAS letter online. The long-standing American Civil Liberties Union lent their support to the Massachusetts protesters by publishing a statement expressing concerns about discrimination and violation of the First Amendment rights of parents, teachers, and students who speak out against high-stakes testing. Meanwhile, in California, a new affiliate of CARE --- CalCARE --- had arisen. By this time, both MassCARE and CalCARE had begun to network with FairTest and its affiliate ARN, capitalizing on their resources and support.

However, it was largely parents and students that held the greatest leverage during this time in Massachusetts. In the Boston suburb of Arlington, twenty-five

Arlington High students boycotted the MCAS that April when the first round of MCAS tests was administered. Elsewhere in Massachusetts, at least three hundred students from about thirty schools stayed out of school, deliberately scored a zero, or chose to write essays in place of taking the MCAS. At Cambridge Rindge and Latin School, more than a hundred students boycotted the test by participating instead in a teach-in in the school auditorium with guest speakers from the ACLU and FairTest. Over a hundred other students from Cambridge marched to their city hall to deliver essays that they had written in protest of the MCAS, chanting, "Be a hero! Take a zero!" (Crittendon, 2000). At Monument Mountain Regional High School in Great Barrington, sophomore Jake Levin had begun a state-wide anti-MCAS group Student Coalition for Alternatives to MCAS, or SCAM, and had sought support for the boycotts through a Website they had started. More than forty students at his school boycotted the exam, instead writing anti-MCAS essays that they submitted to their local schools committee. In May, when the second round of tests was administered, hundreds of boycotting students, along with parents and teachers, traveled to the state capitol for a rally and to deliver a petition to repeal the high school exit exam. A FairTest (2000a) online report describes the event:

> The rally featured speeches by a diverse array of students, elected officials, teachers, and parents, punctuated by rap music, skits, puppet shows and spirited chants. It drew together urban and suburban families in a strong show of unity. A contingent of students marched to the State House to present the Governor's office with petitions bearing almost 7,000 signatures. The rally was organized by the Student Coalition for Alternatives to MCAS (SCAM) and statewide Coalition for Authentic Reform in Education or CARE, in which FairTest actively participates. (para. 2)

However, the students never got to see Governor Cellucci. Danitz (2000) writes,

"Cellucci, whose office was guarded by six state troopers and a red velvet rope,

according to the *Globe*, never came face-to-face with any of the protesting pupils" (para.

3). Students held signs telling Governor Cellucci to "Kiss My MCAS."

It is interesting to note how the threat of punishment from MCAS supporters

worked, or in many cases did not work to deter student boycotts. A FairTest (2002a)

online report describes the dynamic involved:

> Many students remained firm in their decision to boycott in the face of threats
> and reprisals from state and local authorities. The business-funded, pro-MCAS
> group MassInsight issued a memo to local school districts recommending that
> students' grades be docked if they refused to take the test. This tactic was used
> by the headmaster of Brookline High School; he told more than 20 students who
> boycotted the long composition test that their zeroes would be factored into
> English grades. Parent and student protests forced him to back down and
> concede that students could "buy back" their zeroes with a 5-page research
> paper on civil disobedience. Twenty-five students in Arlington also bravely
> persisted with their boycott even when the School Committee imposed three-day
> suspensions. In a move which reflected the contradictory feelings of local school
> boards under enormous pressure from the state to punish dissenters, the
> Arlington School Committee issued a strong public letter to the state Board of
> Education expressing objections to the MCAS test. In Holyoke, 15 students were
> suspended for refusing to take the test. (paras. 7 & 8)

Although some of the student boycotters were punished, some were actually cheered

on by parents, teachers, or administrators. Marianne Young, principal of Monument

Mountain, praised the boycotters, saying, "They've done a very good job with the

boycott! Excellent work" (Steinburg, 2000, para. 22). Massachusetts Teacher of the

Year Bruce M. Penniman commented that although he didn't entirely object to high-

stakes testing, he did not think it should be limited to a paper and pencil test. He

continued, saying, "There are too many students that don't perform their best in that

form of structure, but could show their achievement in other ways" (Danitz, 2000, para.

16).

An entirely different dynamic was working to escalate test boycotts in California in 2000. The fact that California parents had the right by law to withhold their children from the state tests (with the exception of the California High School Exit Exam) proved to have tremendous impact on California's ability to successfully implement their high-stakes tests. Furthermore, the fact that the state of California could not legally force every student to take the tests gave many parents greater faith in their ability to enact change successfully through testing boycotts. Under law, students could not initially be punished for failing to take the tests, although they faced the later possibility that they would not be able to graduate if the state did not repeal its high school exit exam requirement. However, parents and anti-testing organizations also learned that the boycotts gave them leverage with the schools. Although schools could potentially benefit from higher passing rates if parents of limited-English-speaking students opted out, schools that had excessive numbers of students opting out would not qualify for federal funding. As a result, educators, parents, and anti-testing organizations such as CEJ worked diligently to educate families on their right to opt out of testing. Parents grouped together in Santa Cruz to pass out fliers that said, "Five ways to exempt your child from testing." When the San Francisco, Oakland, Berkeley and Hayward districts together filed a lawsuit against the California Board of Education seeking exemptions for non-English-speaking students, part of their pre-trial settlement was for the state to publicize parental rights to opt out of testing. In Saratoga in the fall of 2000, ninety percent of parents withdrew their second graders from testing; in San Jose, a third of students brought parent requests for test exemption. In fact, so many California students opted out that in October of 2000 the Board of Education imposed a new ruling

that stated, "Schools where 10 percent or more of the eligible test takers opted out will not be able to win money for two years unless they can prove students who did take the exam reflected the demographics of the entire student body" (Shafer, 2000, para. 21).

Protests in Massachusetts, California, and New York in 2001

While boycotts and protests were on the rise in California and Massachusetts in 2000, New York families were stewing in dissatisfaction about a growing test-prep culture that they viewed as detrimental to a rigorous curriculum. However, no other protests emerged in New York until May 3, 2001, when a group of parents from Scarsdale, an affluent New York City suburb, staged the first of several well-organized boycotts of New York's Regents Exams. After gathering supporters through a series of meetings, coffee klatches, and a letter-writing campaign, parents successfully withheld two hundred students from the eighth grade test. According to Kate Zernike (2001) of *The New York Times*, parents objected less to the tests themselves than they did to the philosophy behind them. Rick Green (2001), writing for the Hartford Courant, quoted Scarsdale middle school PTA president Melanie Spivak, "We are all concerned that we have lost local control in the name of what they say is accountability. What we are questioning is this whole test-prep culture that has overtaken the schools" (para. 6). In reference to the protest, Zernike (2001) quoted parent Ellen Golden: "This is not an activist community, this is a law-and-order town. For people to have done this despite the difficult logistics really speaks to the commitment of parents to speak up and say to Albany that this is wrong, that we will not sacrifice our children so that some politician can wave numbers around to talk about how our schools are doing" (para. 3). Parents

expressed their concerns about the use of a singe assessment for determining achievement, the exclusion of non-tested subjects, and the general shift of focus from learning to scores. In this case, it appears that the parents had considerable support from local school officials. Responding to the demands of local parents who had lobbied the school board, superintendent, and lawmakers, Superintendent Mike McGill had written to Scarsdale parents requesting that they grant the schools permission to abandon test-prep curriculum and return to a more rigorous project-oriented assessment system.

Four days after the Scarsdale protest, more than fifteen hundred protesters, most of whom represented New York City area alternative schools that were accustomed to using rigorous portfolio assessments, converged on the state capitol in Albany. Students, parents, and teachers arrived in a caravan of busses to the capitol where they waved banners and signs in a rousing rally on the capitol steps. Signs and banners featured slogans such as, "High stakes are anti-enlightenmann," "Schools should teach about Fascism, but not by example," "We support high standards, not high-stakes testing," and "More testing does not equal better schools." The protest was largely in reaction to the recent revoking of Regents Exam waivers for alternative schools by New York Education Commissioner Richard Mills. Jane Hirschmann, chairperson of the Parents' Coalition for High Standards and Performance-Based Assessment that was responsible for organizing this event, declared in reference to Mills, "We will not allow our children to be reduced to a single test score. Tell Mills: 'Keep your hands off our children! We will boycott! Don't put our children through the Mills'" (Ross, 2003, para. 8). Protesters then made their way to the State Education Building, where they picketed for

an additional forty-five minutes. Influential supporters at the rally also included author Alfie Kohn and Assemblyman Richard Brodsky, who introduced a bill in the New York legislature a few months later that would allow multiple forms of assessment. In another comment aimed at Mills, Brodsky says, "Change is coming with you or without you" (Ross, 2001, para. 16).

Later that month Dianna Henriques and Jacques Steinberg (2001) wrote an article that appeared in *The New York Times* exposing test scoring flaws that would have prevented many students from graduating and exacerbated discontent around the state. They pointed the finger at NCS Pearson, the nation's largest test-scoring company for the errors, and emphasized the fact that this was not an isolated incident. They pointed out the fact that President Bush's NCLB requirements would inevitably lay additional loads on the testing industry that was already buckling under serious quality control issues. To meet the rush of demand for high-stakes tests, they told, companies were hiring temporary employees to score writing exams without being given proper training. Throughout the article, the authors continually expressed their primary concern that children's lives were being dramatically affected. They emphasized the point by telling the following story:

> One day last May, a few weeks before commencement, Jake Plumley was pulled out of the classroom at Harding High School in St. Paul and told to report to his guidance counselor. The counselor closed the door and asked him to sit down. The news was grim. Jake, a senior, had failed a standardized test required for graduation. To try to salvage his diploma, he had to give up a promising job and go to summer school. "It changed my whole life, that test," Jake recalled. (para. 2)

One response to the 2001 protests came in the form of a proposal from Superintendent William Cala. In response to demands from parents for alternatives to

the "one-size-fits-all diplomas" (Cala, 2001, para. 4), Superintendent William Cala, together with several other New York superintendents, proposed an alternative diploma to address growing dropout rates due to the numbers of students who were unable to pass the Regents exam. The diploma, which would include a certificate of employability, would be granted by an extra-institutional non-profit group made up of representatives from business, industry, higher education, and secondary education. In order to receive such a diploma, students would have to meet all other Regents requirements and demonstrate their achievement through accepted alternative performance assessments. The alternative diploma issue would remain the subject of debate for several years to come.

Meanwhile, in California and Massachusetts, anti-testing groups continued to strengthen and maintain the momentum in those two states. In Massachusetts, MassCare and SCAM continued to dominate anti-testing efforts, while CEJ and CalCARE maintained the momentum in California. However, one interesting development occurred during 2001 in Massachusetts. Prior to 2001, anti-testing protests were primarily spearheaded by relatively affluent parents from the Boston area and western Massachusetts objecting to what they perceived to be a corruption of curriculum by the focus on test preparation. However, another concern began to gain prominence when the class of 2003 reached their sophomore year in 2001. Realizing that this would be the first class that would be expected to pass the MCAS as a graduation requirement, many began to focus much more heavily on the issues of equity and increased dropout rates. When members of SCAM held a public forum publicizing their opposition to MCAS at Roxbury College in late March, relatively few

showed up. When asked if they were concerned about the poor turnout, they responded with confidence that support would increase as test time drew near. Not only were their predictions correct, they foreshadowed new involvement from a more diverse group of protesters. In April, in the mostly low-income African-American community of Roxbury, the Parent Council of Roxbury's Mission Hill pilot school directed its principal not to force its students to take the MCAS. The majority of parents withheld their children from taking the tests at the school. When CARE and SCAM sponsored an anti-MCAS rally at Boston Common the following month, African Americans participated in much greater numbers for the first time, and a new focus on urban concerns was evident. Dennis Fox comments on the significance of this development: "Mission Hill puts urban parents in the movement's vanguard and raises hope for increased multiracial and multi-class coordination--a hope that was fulfilled at the Boston Common anti-MCAS rally in May,… where the crowd was much more heavily African American and more focused on urban concerns than the previous year" (2001a, para. 34).

In California, the year 2001 brought an increased challenge to the ever-strengthening CEJ to spread the word about California's right to opt out of the test. In March, with the aid of multi-organizational allies such as the local teachers union and the UTLA Bilingual Education Committee, CEJ successfully forced the Los Angeles school district to send out multi-lingual letters informing parents about their right to opt their children out of testing. The following May, in a move similar to that of the Cambridge Care group back in 1999, CEJ and its allies further pressured the district into producing a memorandum that would provide written protection teachers and students

against district retaliation for their opposition to the test. Baranawal and Caputo-Pearl (2002) describe the dictates of the memorandum:

> Under memorandum BT-76, the district confirmed that teachers can speak to parents and students about waivers and that they may keep form letter waivers in their classrooms. The memorandum also confirmed students' rights to speak critically of testing on school grounds - after CEJ student leaders were threatened with suspension in April for handing out leaflets that explained waiver rights and criticized the Stanford 9. (Short Term Demands, para. 4)

In April, even a school principal sent letters home to parents advising them how to obtain exemptions from the test for their children, resulting in her school's loss of eligibility for reward money after seventy percent of the students at her school did not take the test. Her response to this was, "I consider it blood money" (Groves & Garrison, 2001, para.12). A dozen elementary school teachers from Colton used their state reward money to hire consultants to advise parents against the state tests. So many boycotted the test in Marin County that two high schools there lost out on two years worth of state reward money. Sixty percent of parents at the Santa Monica Alternative School House opted out of testing for their children. Students there wrote letters to the newspaper protesting the testing requirements, complaining about the amount of time they waste studying for it. The anti-testing protest group CalCARE was actively organizing and participating in numerous boycotts, rallies, and teach-ins in Marin County, Oakland, Los Angeles, San Jose, and Sacramento. At Oakland High School, where forty-six percent of students have limited English proficiency, more than fifty teachers, parents, and students held a rally to encourage others to boycott the test. They criticized the test as racist and unfair, citing large numbers of poor, minority students who lacked the resources to help them prepare for the tests and argued that,

"The test should be dropped because poor, urban schools would never be able to

compete successfully" (Groves & Garrison, 2001, para. 9).

All of the protests that I have reported here for the year 2001 occurred prior to

the 9-11-01 terrorist attacks. I found only one instance of protest between that date and

February, 2002, for any of the five states. That protest occurred in October, 2001, in, of

all places, New York. A rally had been planned for October 9th to touch off what FairTest

officials called "the fourth annual 'leave no child untested' National Education Summit"

(FairTest, 2001, para. 1) at the IBM Center in Palisades. The Summit, which was

organized by IBM with the goal of bringing state governors together to encourage their

support of state testing programs, was attended by only fifteen governors. The anti-

testing rally, which was organized by Students Against Testing and supported by

FairTest and ARN, drew only two dozen participants. In the report, FairTest officials

(2001) comment:

> The continuing chaotic conditions in nearby New York City resulting from the
> September 11 attack sharply reduced participation from activists who had
> attended a May 2001 Albany rally against testing, which drew upwards of 1500
> people. Police kept the demonstrators well away from the politicians and their big
> business donors meeting at IBM headquarters. (para. 1)

In spite of the circumstances, the small number of protesters apparently flustered

Educational Testing Service officials enough that they accused FairTest of "throwing

rocks from the sidelines" (FairTest, 2001, para. 3).

Protests in Texas and New York in 2002-2005

Following a 2000 lawsuit in which a federal judge rejected plaintiffs' claims that

the TAAS discriminated against minorities, few further efforts to protest TAAS occurred

in Texas. This absence of protests may be attributed to the fact that the new standards and accountability system, and its accompanying TAKS test, had just gone into effect in 1999, and Texas students would not be held accountable for the TAKS high school exit exam until the class of 2004. Finally in 2002, however, with the class of 2004 now facing the new high-stakes testing policies (TAKS) that required them to pass exit exams in English language arts, math, science, and social studies, the discontent over high-stakes testing reached the boiling point in Texas. The test was only to be administered in English in spite of the fact Hispanics, many of whom speak English as a second language, represent more than forty percent of the population in Texas. Not surprisingly, the first Texas protests emerged from San Antonio and southward, where there is the highest concentration of Hispanic students. In October, 2002, a dozen teachers and parents spoke out against the Texas Assessment of Academic Skills (TAKS) in a meeting with the Georgetown, Texas school board. The meeting, which was attended by 200 people, was a prelude to a rally planned for the following January. On January 25, 2003, three hundred demonstrators participated in a rally at the state capitol in Austin. Demonstrators chanted, "More learning, less testing" (Holst, 2003), and demanded support for State Representative Dora Olivo's (D-district 27) proposed legislation to require multiple assessments in making high-stakes decisions. Speakers included Joe Bernal of the Texas Board of Education, Rep. Olivo, noted author Susan O'hanian, and professors Angela Valenzuela and Linda McNeil, authors of the "The Harmful Impact of the TAAS System of Testing in Texas: Beneath the Accountability Rhetoric" (2001). The following month, San Antonio teenager Kimberly Marciniak made headlines with her open refusal to take the TAKS test. Being called by some "a modern

day Moses liberating the Texas Public Education System" (Marciniak, 2003, para. 9),

Kimberly faced threats of expulsion from her magnet school for her actions and

warnings about how she was foolishly throwing away any chance of getting into college.

In a later report, however, Kimberly had been accepted into all three of her top college

choices and had been offered scholarships for each one. There were two more

separate reports that same month about juniors in the Dallas area skipping the TAKS

field test. Most of the juniors who skipped it had already taken and passed the TAAS,

and students complained of the amount of time wasted on the practice test.

After a two-year lull in Texas protest activity, a report on yet another high school

student's TAKS boycott emerged. Honor student Mia Kang received national publicity

when she refused even to take the TAKS practice test. When her teacher passed the

practice test out, she turned the answer sheet over and wrote an essay condemning

high-stakes tests. As was Kimberly, she had been told by school personnel that she

was "putting a black mark on her record" (LaCoste-Caputo, 2005, para. 6). Yet another

student, eleven-year-old Macario Guajardo of the small Texas Valley community of

Edinburg became nationally known for his brave stand against the TAKS. He explained,

"I'm doing this for myself, and all kids too, so they won't have to be going through

pressure from the TAKS" (LaCoste-Caputo, 2005, para. 19). His father, a professor at a

local college, supported his son's protest. In March, 2005, two hundred members of the

Austin Interfaith organization went before the Austin school board to speak out against

the overuse of standardized testing and what parents perceived to be the district's use

of micro-management tactics to scrutinize test preparation going on in the classrooms.

Group members also expressed the desire for the district to consider creating means of

using more than just the TAKS test to make high-stakes decisions for the students. The report mentions that Representative Olivo's ongoing efforts included two multiple-assessment bills filed in early March. In April, 2005, the Laredo Independent School District and school districts from Vermont and Michigan joined forces with NEA and several state education organizations to file a lawsuit against National Education Secretary Spellings for failing to fund NCLB mandates properly. (Although the lawsuit was dismissed from federal court the following November, NEA and other plaintiffs filed an appeal with the Sixth Circuit U. S. Court of Appeals in March, 2006.) The spring of 2005 also brought additional efforts on the part of a small grassroots group of parents from the Organization of Proud Parents Opposing State Enforced TAKS (OPPOSE TAKS). In April they lobbied the Texas legislature to reduce the amount of public school testing, citing the undue amount of stress it was placing on students. In the north central Texas community of Haltom City, a Haltom High School student handed out t-shirts with anti-testing slogans such as "Total Annihilation of Knowledge and Skills," and "I am not in the equation of my education" (Walker, 2005, para. 1). Although the school's principal confiscated their t-shirts, he offered to help students write a letter voicing their complaints to State Representative Bob Griggs (R-district 91). Later that summer of 2005, two Texans spoke out in open opposition to high-stakes testing. Texas researcher Amanda Walker published an article in the Intercultural Development Research Association (IDRA) newsletter that summer. Presenting strong, research-based criticism of Texas' high-stakes testing policies, she says, "The push for more testing is being made without regard for persistent inequalities in Texas, the educational costs of testing, or the effects of high-stakes on the mental and physical well-being of students"

(Walker, 2005, para. 24). In another article, Assistant Superintendent Sylvia Bruni of the Laredo Independent School District is quoted as saying, "The consequences especially for minority students are more and more tragic, and you see it in the data. We have enormous dropout rates, in my community as many 30 percent of all students.... Statewide there's a marked decline in the number of students who are prepared for higher education" (in Marks, 2005, para. 13). However, by 2005, state officials in Texas were beginning to feel the effects of trying to meet under-funded NCLB mandates. They joined with the states of Michigan and Vermont in a federal lawsuit that NEA argued on their behalf. It remains to be seen whether this action has led to any further understanding of anti-testing protester concerns on the part of state officials.

While anti-testing activism appeared to be gearing up in Texas during the period of 2002 to 2005, New York resistors took a little longer to regain their momentum following the attacks on the World Trade Center. The first report after the events of September 11, 2001 came in February of 2002. This report involved the filing of a lawsuit by Eric Nadelstern, against the New York State Board of Education. As the principal of the International School in Queens --- a charter school, he filed suit to gain the right to use portfolio assessments as an alternative to the New York Regents Exam. His suit failed in court, but Nadelstern later became head of the Department of Education Office of School Improvement, which served as a political access point for his anti-testing agenda. Early in March, 2002, however, numerous parents and students demonstrated that high-stakes testing resistance was still alive. All but twenty of the one hundred forty students from two New York magnet middle schools, the School of the Future and the Institute for Collaborative Education, brought letters from their parents

requesting that their children be allowed to sit out the Regents Exam. As a result of the boycott, State Assembly members Richard L. Brodsky (D-district 86) and Amy Paulin (D-district 88) arranged a meeting between New York Education Commissioner Richard Mills with superintendents, teachers, and parents. In actions similar to those of Texas State Representative Dora Olivo, Brodsky also introduced a bill proposing alternatives to standardized tests. The state of New York responded by changing its regulations so that in the future, schools would be required to administer tests even if their parents oppose. In June of 2003, administrators and teachers from around the state spoke up openly in criticism of the difficulty level of the math Regents Exam, describing it as "inordinately difficult" (Dillon, 2003, para. 1) and warning that it would result in a grossly unfair number of students failing to receive their diplomas. In turn, lawmakers and even members of the Board of Regents joined those protesters in a plea to Commissioner Mills to take action to prevent a potential crisis. Commissioner Mills responded by voiding the math scores until an investigation could be conducted. Citing technical flaws, Mills authorized the granting of diplomas to any seniors who had passed math coursework and fulfilled all other requirements. Mills also responded by reassigning the director of the State Department of Education Testing Division, Rosanne DeFabio, who took early retirement rather than accepting a new post. In February of 2004, NYCoRE held an open meeting focusing on the proposed plan to retain third grade students who did not pass the state exam, and then attended a Panel for Education Policy meeting where they again voiced their concerns. After receiving considerable media coverage at the meeting, NYCoRE returned to the March PEP meeting and presented a mock lesson plan to protest the third grade high-stakes policy. According to NYCoRE reports,

three PEP members who were believed to be against the third grade retention policy were mysteriously replaced by Mayor Bloomberg prior to the meeting, tipping the panel's votes in favor of the policy. Within a few weeks, NYCoRE had published a formal anti-high-stakes testing position statement (see http://www.nycore.org/PDF/testingposition.pdf). That same month, 150 demonstrators gathered outside at a Manhattan Department of Education meeting to protest high-stakes testing and Mayor Bloomberg's new third grade retention policy. In response, Mayor Bloomberg threatened to retain the students of parents who boycotted the test by keeping the children home. The threats were apparently taken seriously by many parents because in spite of open urging to keep their students home on testing day by the Northwest Bronx Community and Clergy Coalition, attendance rates remained high. Nevertheless, NYCoRE remained diligent in its anti-testing efforts, conducting an anti-testing workshop at the New York Social Forum in October of 2004, and then holding a silent protest of high-stakes testing on the steps of the Tweed Courthouse during a May, 2005 PEP meeting. There were no further forthcoming reports of anti-testing protests for New York in 2005.

Protests in California from 2002-2005

Following the attacks of September 11, 2001, reports of protests in California did not emerge until February of the following year. Harold Berlak, a senior research fellow at Applied Research Center in Oakland, produced a document entitled *What You Need to Know About High Stakes Testing in California* (see http://www.asu.edu/educ/epsl/EPRU/resources/HighStakesTesting.doc). The document,

which emerged from the Education Policies Research Unit at Arizona State University, frames high-stakes testing policies as a form of institutional racism. Berlak asserts that there is "No demonstrable connection between performance on a standardized academic [test] and a person's actual academic performance" (Berlak, 2002, p. 4), and that multiple-choice standardized tests tend to create and inflate the perception of a race gap. Berlak encourages citizens to challenge legislation, write letters to newspapers to help shape public opinion, organize community forums, and "Help organize and attend public demonstrations marches, and protests" (Berlak, 2002, p. 1). He asserts, "Significant change is possible only if the 'grassroots' --coalitions of teachers parents, students, and members of local communities -- educate themselves on the issues and work to resist these failed assessment policies, and replace them with policies that serve our children, our communities and the nation as a whole"(Berlak, 2002, p. 5).

On April 18, 2002, CEJ organized a demonstration of parents, teachers, and students. The group rallied outside of Washington High School in Los Angeles to lobby the Los Angeles school board to conduct a study of alternatives to state-mandated high-stakes tests. As a result, Los Angeles school officials sent a memo to all school principals saying that all parent requests for test waivers must be honored. That same spring, CalCARE actively recruited parents to request test waivers. On its Website, it encouraged teachers to distribute fliers or speak out at school board meetings, but warned that teachers who speak out publicly could be subject to punishment from their school districts. To skirt the law, some teachers wishing to influence parents without suffering repercussions hired "consultants" to recruit and persuade parents for them.

However, in May, a San Jose teacher was placed on administrative leave, accused of encouraging parents to opt out of the state test. School officials believed that she had crossed the fine line between a teacher's legal right to inform parents about their right to opt out of testing and the illegal act of encouraging them to do so. Writing for Education Week, David Hoff (2002) explained, "The decision marks one of the first disciplinary actions against a school employee for protesting state testing policies and pits teachers' free-speech rights against state laws that govern state policies" (para. 2).

CEJ continued to be a powerful mobilizing presence in Los Angeles. Following its demonstration in April, CEJ presented the Los Angeles Unified School District (LAUSD) with a proposed resolution to conduct a study of alternative assessments (see http://tcla.gseis.ucla.edu/rights/features/5/cej/boardmeeting.html.) The school board adopted the resolution that authorized and instructed the LAUSD Program Evaluation and Research Branch to conduct the study. Then, forming tactical alliances with two LAUSD school board members and collaborating with local unions and community groups, CEJ organized a series of activities to help raise awareness about the effects of high-stakes testing and to promote opposition to testing mandates. They declared May, 2002, to be a "Month of Action against Racist Testing and for Educational Justice" (FairTest, 2002, para. 1).

An important development in 2002 was a class action lawsuit supported by the Disability Rights Advocacy, in which the state was sued for requiring students with disabilities to pass the exit exam. The case, which became known as *Chapman v. California*, involved an eighth-grader named Juleus Chapman and other students, school districts, and parents. The lawsuit has reverberated between state and federal

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courts ever since. In an effort to aid those students whose lives and careers would be at stake, Majority Leader Gloria Romero (D, Los Angeles) proposed SB 586, which was vetoed by Governor Schwarzenegger. As revised form of the earlier bill, SB 517 was finally signed into law, permitting students in the class of 2006 or earlier who had met all other requirements to get their diplomas without having passed the CAHSEE. It remains to be seen how the CAHSEE issue will be resolved.

By the spring of 2003, other groups had gained momentum in anti-testing resistance. In March, The California Teachers Association gained media attention when it publicized its sponsorship of proposed Assembly Bill 356. Introduced by Assemblywoman Loni Hancock (D- Berkeley) and supported heavily by numerous other groups such as CEJ and the California PTA (see the PTA position statement at http://www.capta.org/sections/advocacy/downloads/alert-091203.pdf), the bill was signed into law later in 2003. Revising the state testing program considerably, it eliminated the second grade test entirely, abolished performance incentives, and delayed the state requirement of the CAHSEE to allow the state more time to complete its study of the exit exam and alternative assessments. Another anti-testing organization, Citizens for Justice, organized a multi-city protest bus tour that began in San Diego and proceeded to Long Beach, Riverside, Los Angeles, and Lynwood over a week-long period. Joined at one stop by fifty members of CEJ, the student protesters would get off the bus with armloads of protest signs, chanting, "Hey, hey, ho, ho! Denying diplomas has got to go" (Ohanian, 2003, para. 2).

In 2004, the focus of California protests seemed to shift more toward NCLB. Although the only protest reports during that time involved open verbal challenges, the

challenges came from influential and highly visible people. In September, Barbara Nemko of Napa County wrote an article for the *Napa Valley Register* criticizing NCLB as an accountability system that "defies reason" (Nemko, 2004, para. 2). Referring to letters that were required to be sent out to tell Napa County families that they were free to move to another school since their school did not meet federal testing requirements, she wrote, "Children and parents hearing that their school is 'failing' will no doubt diminish their confidence that they're receiving a good education, when in fact they may be receiving an excellent one" (Nemko, 2004, para. 7). In Santa Rosa, the district's School Board and its administrators angrily denounced NCLB policies. According to a news report by Robert Digitale (2004), the superintendent predicted that by 2014, if Congress did not repeal or relax its requirements, the law "would collapse under its own weight" (para. 7). Superintendent Butler asserted that NCLB "essentially provides '25 ways to fail,' ranging from outright academic failure to an insufficient percentage of students taking assessment tests," and that as a result, "virtually all schools are destined for failure" (paras. 12-13). Then, in a harsh challenge to California test resistors, Rich Gibson (2004) warned them that moderate, mainstream paths of resistance to this "closing noose that we must break out of" (para. 47) will amount to nothing. He asserts, "Electoral work, the courts; these are cul-de-sacs" (para. 5) and "Anything that teaches people that anything will save them except for their own responsible, collective, and quite possibly illegal action (boycotts, strikes, school seizures, etc) is just leading people into a deadly trap" (para. 6). He essentially condemned NEA and AFT as ineffectual, explaining, "Those unions will never amount to much, as they are dedicated to capitalism first and their members, us, second, and

therefore we need to concentrate most of our efforts organizing outside AFT and NEA"
(para. 46). Gibson recommended resisters look to organizations such as Whole
Language Umbrella, the Whole Schooling Consortium, Rethinking Schools, FairTest,
and Substance in Chicago instead.

The following year brought a sharp rise in protests across the state, beginning in
February, 2005 when a group of parents, teachers, and school board members
demonstrated outside of a San Francisco hotel where U. S. Secretary of Education
Spellings was appearing at a meeting of the National Association of Secondary School
Principals. Federal officials responded to this protest and to challenges from a
bipartisan group of state legislators with more of the same "Orwellian language" (Lakoff,
2004) that had characterized their framing of NCLB policies from the start, saying that
they were attempting to address concerns but that they wouldn't allow states to lower
expectations for students. That spring, CEJ sponsored another Oakland-area protest
bus tour to coincide with the CAHSEE and encouraged parents to join the tour as a
boycott of the test. Many students skipped the test to join the boycott tour. Since
California's opt-out law did not include the right to skip the exit exam, they knowingly set
themselves up for possibly not being able to graduate if the state policy did not change.

Parents were beginning to learn that taking advantage of the opt-out law gave
them leverage on issues related only indirectly to high-stakes testing. For example, in
Allendale, parents organized to turn in test waivers in protest of local schools
transferring teachers out because of low campus-level test scores. A local after-school
program coordinator also organized a boycott of classes over the transfers. As a result,
parents of fifty students requested waivers, 85% of the students boycotted classes, and

the after-school program coordinator was fired. Then, in Vista, after Lincoln Middle School officials announced controversial changes in the Gifted and Talented Program, parents deliberately held their children out of testing. In order to address low scores that resulted in the school's placement on the low-performing list, administrators decided to eliminate some honors classes and group multi-level students together. Angry that school officials would not listen to them, parents of honor students decided withhold their children in hopes that their action would create a further drop in the school's scores; then they threatened to use their right under NCLB to transfer to a higher-performing school.

A series of open verbal challenges came out of California in 2005. As a guest columnist for the Los Angeles Daily News, Christopher Jepsen, a research fellow at the Public Policy Institute of California, pointed out conflicts inherent to NCLB provisions as they relate to students of limited English proficiency (LEP). He explained that because LEP students are expected to strive toward reclassification as "English proficient," the scores of that subgroup will likely decrease for a time under the new classification. Furthermore, the "English learner" subgroup, under the same provision, will continually have its highest-achieving members skimmed out for reclassification as "English learners," resulting in the stifling of progress for that subgroup. He also pointed out the unrealistic NCLB expectation that English learners become proficient in only one year. He emphasized the inherent difficulties in assessing the academic abilities of students who are "between languages." In another op-ed, Whittier City School District board member J.C. "Mac" McFarland (2005) wrote, "We Must Repair NCLB." Although he supports the overall philosophy of NCLB, he calls parts of it "nonsensical," saying, "That

the inability of one small subgroup of our students (who by definition are burdened with learning and language disabilities) to attain an arbitrary proficiency standard can cause an entire school district to be shamed and punished is simply absurd"(McFarland, 2005, para. 10). Calling some of its provisions "a classic case of government bureaucracy run amok" (para.10), McFarland wrote, "The execution [of NCLB] is seriously flawed" (para.10). In yet another verbal challenge, San Francisco parent Lisa Schiff joined in a coalition with representatives from several states, including Connecticut Attorney General Richard Blumenthall. In a nationally-publicized press conference, they denounced NCLB mandates, citing that several states, including Connecticut, were considering litigation. Finally, late in December of 2005, Laurel Rosenhall, a staff writer for the *Sacramento Bee*, began a series of articles illustrating the challenges faced by low income and minority students faced with the high school exit exam. In some of the essays she personalized the issue of the California High School Exit Exam, illustrating the effects it would have on real students. In others, she delivered facts more directly, publicizing local efforts to find alternatives to the CAHSEE.

Perhaps the most important protest of 2005, however, came in the form of a major lawsuit. With the support of the California Association for Bilingual Education and other advocacy groups, ten school districts including the Coachella Valley and Alisal school districts sued the State of California for requiring students with limited English proficiency to pass the English version of the CAHSEE in order to graduate. In May, 2006, an Alameda County superior court judge granted a preliminary injunction that would suspend the CAHSEE for the class of 2006. However, the state attorney

general's office immediately filed for a stay on the injunction, pending appeal of the case (Williams, 2006).

Protests in Massachusetts from 2002-2005

An even longer hiatus occurred in Massachusetts after the events of September 11, 2001. The first protest report of 2002 involved a resolution passed with a four to three vote by the Cambridge School Committee in April. The committee, under pressure from local anti-testing groups such as the Cambridge Teachers Association (CTA), passed the resolution granting high school diplomas to all students meeting all graduation requirements other than the MCAS. More than seventy people showed up to support the resolution, eighteen of whom spoke before the committee about the detrimental effects of the MCAS exit exam. The CTA had also sponsored a petition drive in support of the resolution, and presented the petition with one hundred signatures to the committee. Cambridge was not the first community to pass such a resolution. The Hampshire Regional School Board had passed one previously, for which they had received a threatening letter from Education Commissioner Driscoll. The State Board of Education Chairman James Peyser declared the resolution illegal, but other communities followed suit with similar resolutions.

Scattered boycotts occurred during the spring administration of MCAS. Dennis Fox described how he and other Brookline parents kept their children home on testing day, explaining that they simply took advantage of Brookline's opt-out policy and sent notes to their children's principals. Fox (2002) commented, "Brookline's School Committee and administrators generally have the good sense to resent and oppose

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MCAS" (para. 6) However, he questioned the Brookline School Committee's tight-lipped policy on opting out, especially in view of the letter his daughter had brought home saying that students who missed the test would be expected to make it up, and that very few exemptions from the test would be granted. Furthermore, when nine Brookline High School students boycotted the exit exam, they were told that they may not get a state-approved diploma. Fox simply wanted to get the word out through his bi-weekly column *Gadflying* in Brookline's online newspaper, the *Brookline Tab,* which often served as a framing forum for his open verbal challenges of MCAS.

A major class-action lawsuit was filed in 2002 against the State of Massachusetts for denying diplomas to those who have failed the MCAS exit exam but have met all other requirements. Plaintiffs in the suit were six unidentified students from the Holyoke and Springfield areas. The *Boston Globe* reported, "The class-action suit would challenge the use of the test as a graduation requirement on behalf of all students who failed the exam. The suit names six groups of students it says are discriminated against by the test: blacks, Hispanics, students with limited English, disabled students, students in vocational/technical schools, and students in the Holyoke school district" (Vaishnav and Kurtz, 2002, para. 3). Originally filed in US District Court in Springfield, it was remanded to Suffolk Superior Court after the federal judge refused to hear the case. After the Suffolk Superior Court refused to uphold their claims, lawyers requested an injunction against the State of Massachusetts in 2004 to withhold the MCAS pending the outcome of their lawsuit, but the Supreme Judicial Court refused to uphold the injunction. Meanwhile, some relief had come in 2002 when State Education Commissioner David P. Driscoll announced that waivers would be granted to students

who had failed the MCAS three times but had demonstrated through other school work that they deserved to graduate.

In March, 2003, an open forum held by members of Student Coalition for Alternatives to MCAS (SCAM) at Roxbury Community College drew only a small local audience to hear their speeches and question/answer sessions. That same week the *Boston Globe* published the results of a survey of teachers regarding how high-stakes testing affects the classroom. The results of the survey, which was conducted by the National Board on Educational Testing and Public Policy (Boston College), indicated that although teachers perceived the effects of high-stakes testing to be negative, they did support the rigorous curriculum standards. The teachers reported feeling tremendous pressure, and believed that students felt pressured as well, leaving high school students feeling demoralized. Teachers also reported having considerably less time to spend on non-tested subjects (Kurtz, 2003). Less than a week later, Boston College researchers openly challenged the state's reporting of MCAS results, accusing the state of inflating the passing rate by as much as 20%. Apparently when the state reported its 90% passing rate on the MCAS exit exam, it was based only on the percentage of currently enrolled students who passed the test. The researchers argued that students who had dropped out, been retained, or transferred out of state should have been included in the count. State education officials countered by reminding researchers that some of the students who had moved may have already passed the exam in the ninth grade. The combined effect of the survey report, the research report, and the defensive response by state officials appears to have motivated protesters to take action. A few days later more than two hundred Boston anti-MCAS protesters

attended a city council hearing to voice their opposition to the MCAS graduation requirement. Their protests resulted in the passage of a resolution banning the use of MCAS as a graduation requirement until there is a marked decrease in the disparity between racial and ethnic groups and socio-economic groups on MCAS scores. However, the Boston City Council resolution was not supported by the Boston Schools Committee. Three months later, while state officials and dignitaries gathered inside to celebrate the tenth anniversary of the Education Reform Act, two dozen teachers and union activists and seventy-five students demonstrated in front of the school in Dorchester. Governor Mitt Romney was forced to enter the school through a side door to avoid protesters.

Aside from reports of rising dropout rates in Massachusetts in 2004, there were no other protest reports that I could find from June, 2003 to May, 2005. Then, in late May, 2005, a group of science professors and public school science teachers released a formal statement urging the Massachusetts Board of Education to vote down plans to include science and technology MCAS exams as graduation requirements. They presented the statement at a press conference at the State House. According to ParentsCARE, the science educators described "how a science graduation requirement test will undermine the goal of better science education in Massachusetts public schools" (2005, para. 2). The last report of 2005 involved an open verbal challenge by numerous anti-testing organizations and education organizations in an open press release statement warning of the effects of NCLB and MCAS mandates on Massachusetts failure rates. The statement reported on a study conducted by Ed Moscovitch of Cape Ann Economics, which found that three-fourths of all

Massachusetts schools would fail to meet the NCLB performance standards by 2014.

The groups made the following recommendations for change (ParentsCARE, 2005):

- NCLB should be amended to require states to evaluate schools based on multiple criteria, not on test scores alone.

- NCLB should be amended so that schools failing to meet educational standards receive technical assistance and support, not just penalties, and funding should be available to make that support possible.

- The state Department of Education should work closely with education and parent groups to implement effective school improvement strategies.

- The DOE should adjust the Adequate Yearly Progress formula to reduce the need for rapid test-score growth as 2014 nears. This will not solve the fundamental problems with NCLB, but will somewhat reduce mislabeling of schools.

Summary of Anti-testing Protest Activity

At this point the reader may be questioning the rather conspicuous omission of reports on South Carolina protest activity. This is simply due to the fact that there were none to report. I have conducted data searches for protest activity in all five states at intervals throughout the course of this study, realizing that (a) new issues are arising in many states even as I write; (b) new reports and new anti-testing Websites are emerging all the time; and (c) reports of protest activity do not always make it to the mainstream media, and it may take time for protest reports to be posted on organization Websites. In spite of my repeated searches using a variety of search terms and strategies, the closest item that I encountered to protest activity was a lawsuit over inadequate school funding. Since it did not relate directly to high-stakes testing, I did not include it. The fact that there was no protest activity at all in South Carolina was the very reason I chose to include it in this study --- I wanted to find out why. I found

Massachusetts to compare very closely to California in the volume and type of protests that I found from 1998 to 2005: I logged 44 protests for California, and 38 for Massachusetts. Since anti-protest organization Websites in both states indicated an on-going level of active involvement on the part of many of the activists in those two states, it seemed impractical to include every minor item on every organization's agenda. With that in mind, and considering that protest activity tends to occur in waves, I would consider the volumes of protest activity in California and Massachusetts to be equivalent. I logged 18 protests for the state of New York and ten for Texas from 1999 to 2005. I found indications that protest activity is likely to continue in the future in California, Massachusetts, New York, and Texas. I saw no evidence of pending unrest in South Carolina. In the next section I will present a more thorough comparative analysis.

How Framing Processes, Mobilizing Structures, and Political Opportunity Explain Variations in Anti-testing Protest Activity from State to State

Now that I have reported on the factors that I found relevant to a political process analysis of the anti-testing protest development in the five states, I will use those factors to compare and contrast the anti-testing protest activity in the four states that had activity and to develop an explanation for why South Carolina did not. Once again I will organize the analysis around framing processes, mobilizing structures, and political opportunities. Within the category of framing processes, I will focus primarily on each state's perception of concerns as indicated in protest reports. I will include additional discussions of how state officials may have promoted testing policies through

framing strategies and how protesters have countered those actions with framing strategies of their own in the various states. Under mobilizing structures, I will compare the number, strength, and efficiency of anti-testing organizations in the four states and how successful they were in networking with other social/political organizations. Under the category of political opportunity I will discuss the factors that I reported on earlier, such as the political leanings, socio-economic factors, collective bargaining policies, and so forth that contributed to or detracted from political opportunity. I will include the comments of prominent individuals in the anti-testing movement such as Alfie Kohn and Rich Gibson, and from ordinary people who have contributed their insights as well.

Framing Processes

I found that the four states' protests tended to be framed around different concerns. I also found that as protests evolved, the framing focus tended to grow to include other concerns, sometimes drawing additional social sub-groups into the protests. The one concern that seemed to be a connecting thread throughout all four states, however, is the one that was expressed in every professional education organization position statement examined: the use of a single fallible assessment measure to make high-stakes decisions. On average, the four states showed this to be a concern in 68% of protests. I found that concerns related more to demographics than any other factor. For example, California, which has the largest Hispanic population of the four states, actually expressed concern over the lack of attention to students with disabilities and language differences more frequently (in 66% of protests) than the use of a single assessment to measure high-stakes decisions. In fact, both the issues of

disabilities and limited language proficiency became the center of two high-profile lawsuits in that state. In contrast, the use of a single assessment to make high-stakes decisions accounted for the majority of protest complaints (in 79% of protests) in Massachusetts, with lack of attention to students with disabilities and language differences accounting for only 13% of concerns expressed. The second most frequently expressed concern in Massachusetts (in 47% of protests) was the implementation of testing programs without appropriate meta-evaluation. The latter result is completely understandable given the political history behind the development and implementation of Massachusetts' Education Reform Act which was conducted almost exclusively without public knowledge and involvement. Interestingly, as protests evolved in New York, Massachusetts, and California (this aspect was less apparent in Texas because of its relatively brief protest history), the focus on issues appears to have become more comprehensive and more balanced. For example, the very earliest protests in California focused primarily on equity and limited English proficiency concerns, but as citizens began to feel additional effects of accountability policies, their concerns grew to include issues of rewards and sanctions, reliability and validity, and curriculum quality. Massachusetts protests initially involved middle-class and upper-middle class issues of curriculum content and quality of learning issues. As time went on, however, the most severe effects of the state's accountability policies fell on the poor and minorities. As these groups were drawn into the anti-testing movement, issues of dropout rates, effects on disabled and limited language proficient students, equity, the perpetuation of racism and classism, and socioeconomic issues received more attention. Similarly, the New York protest movement began in upscale Scarsdale, where

parents and teachers expressed their initial concerns about the narrowing of content, exclusion of non-tested subjects, and the use of a single assessment rather than the multiple performance assessments to which they were accustomed. Issues of equity and perpetuation of racism and classism, which received only limited attention the first few years, took on greater importance as the movement wore on, and concern about the effects on disabled and limited English proficient students did not emerge in New York until 2004.

As I have shown earlier, there have been framing processes on both sides of the high-stakes testing issue. Anti-testing movement activists tended to use framing tactics that were direct, sarcastic, and often piercing in their accusations. Protesters wore their framing slogans on t-shirts, carried them on signs, handed them out in fliers, and sang them at conventions. However, the framing processes used by high-stakes testing proponents to frame and market their policies and to combat protester tactics were often of a more subtle and covert nature. A prime illustration of this was framing tactics used in Massachusetts prior to the passage of the Education Reform Act in 1993. Apparently fearing that the overwhelmingly Democratic state legislature would not likely support their high-stakes accountability legislation, the neo-conservative and neo-liberal politicians and business leaders who engineered the bill went to great lengths to conceal facts and frame issues. On the rare instances that the legislation was mentioned publicly prior to its passage, high-stakes testing proponents resorted to vague, white-washed descriptions of the actual contents of the legislation and exploited the terms "equity" and "high expectations" (American Association of School Administrators, 2001) to promote their standards and accountability agenda. Had these

framing tactics not been used, and had the contents of the proposed legislation been made public, the bill might never have passed at all. In fact, the bill did not pass on its first time through the legislature in January of 1993. Shortly after, when Stephen Bing of the Massachusetts Advocacy Center made efforts to publicize the bill's contents and potential ill effects, his efforts were completely ignored by the media and by policymakers (Bolon, 2000). This is an example of what Sacks (2000) refers to the "marginalization of dissent" (p. 81), which basically amounts to the stifling of opposition framing efforts by those in control. The mainstream media chose which issues to treat with importance. The result, as has often been the case over the last twenty years, was the shaping of public opinion to believe that education really was in crisis and that lawmakers had the cure. This dynamic continued over the next few months as the McDuffy case loomed over Massachusetts lawmakers (see http://www.aclu-mass.org/issues/FairSchools/TrialDocuments.htm). The case, in which the Board of Education was being sued for not providing the standard of education set forth by the state constitution, threatened an upheaval in education policy at the very least. In the midst of this critical time the bill finally passed, backfiring in the cloud of protests that followed. Had the bill been presented more openly to the legislature and the public from the onset, likely some of the policies would have been softened through compromise, and the public may have been more receptive. However, by taking the public by surprise as they did, high-stakes testing proponents created the spark that lit the protests. These protests were in turn fueled by repressive effects of the policies themselves.

In January, 2005, when objections to NCLB were starting to mount around the nation, lawsuits against the Department of Education were being litigated, and many states were choosing to opt out of federal funding, the news media disclosed the fact that the Bush administration had paid commentator Armstrong Williams $240,000 to promote NCLB in the media. Laurie Spivak (2005) reported that House Education Committee George Miller, a Democrat who co-authored NCLB, referred to the administration's contract with Williams as "'a very questionable use of taxpayers' money' that is 'probably illegal'" (para. 5). Comparing the payment of Williams to a similar case involving the payment of Karen Ryan to promote Bush's Medicare reform plan, Spivak (2005) wrote, "In May, 2004, the nonpartisan General Accounting Office investigated the Medicare spots and determined that they were illegal because they violated a ban on publicly funded 'covert propaganda'" (para. 2). Regarding the covert nature of the Bush administration's framing strategies, Spivak (2005) explained:

> What they were up against wasn't a poor debater, his Machiavellian consultant, and a portfolio of privatization policies, but a well-established, conservative movement with media outlets, think tanks, foundations and advocacy organizations as well as a host of pundits, journalists, consultants, and politicians all working collaboratively to advance their right-wing agenda (and many of the latter, like Williams, working the double shift as "entrepreneurs" and getting mighty rich)…The power of the conservative movement is not in its ideas, rather it is in the marketing of these ideas, primarily through effective packaging, promotion and distribution (see http://www.alternet.org/mediaculture/20946/, para. 8).

News of this incident invites recollection of Michael Apple's work on the "new hegemonic block" (1998) and its influences on education policy long before the Williams incident occurred. This incident, along with the previously mentioned examples of language manipulation, clearly illustrates the dynamics of the powerful framing machine that Apple (1998), Lakoff (2005), and Spivak (2005) speak about. One of the most

important insights of this study, then, is that the framing efforts of the anti-testing protesters must be viewed in terms of the massive, covert, and sophisticated hegemonic framing efforts that they are up against. In the words of New York boycott leader Deborah Rappaport, "It's been kind of insidious — states have introduced tests at a slow rate. I don't think anybody began to put the whole picture together. Educators and parents have not until now understood that this is bigger than one school, one community, one state" (Zernike, 2001, para. 11).

Mainstream politicians have systematically and strategically employed the media to advance their hegemonic framing of education accountability policies. This has occurred to such a degree that such policies are often unquestioningly assumed to be the infallible products of well-intentioned experts rather than the vehicles of sociopolitical manipulation that they often are. Referring to the public's ready acceptance of NCLB, Metcalf (1998) wrote:

> The public liked its emphasis on high expectations for schools and children (as opposed to the "soft bigotry of low expectations" attributed to bleeding-heart educators). A quasi-religious, and very American, faith in education helped the rhetoric of accountability to resonate; people half-consciously believe that schools ought to be able to equalize life opportunity, regardless of grinding poverty in one district, booming affluence in the next. (para. 6)

Politicians rely on the likelihood that not only are the majority of Americans incognizant of the powerful framing structures in operation, they are either unable or unwilling to expend the amount of cognitive energy necessary to develop effective counter-strategies. A very important insight of this study, then, is the fact that less protest has occurred where political framing strategies have successfully inhibited public scrutiny of the nature and effects of high-stakes testing.

Mobilizing Structures

As movement concerns broadened and gained publicity over time, so did the support of various organizations. Of the four states, only in Texas was there an actual anti-testing organization (Citizens for Quality Assessment) directly connected with the earliest reported protests, and even this connection occurred several years after anti-testing movement was well under way in other states. The earliest protests in California were primarily student uprisings, while in New York a group of parents and teachers through their local PTA set the anti-testing movement in action with a little help from structures already in place. Massachusetts protests began with the ad hoc committee whose original intention was to study the MCAS, not necessarily to fight it. The group's findings led to negative publicity that spurred development of protests there.

In California, the first organization to lend significant support to the anti-testing movement was CEJ, a group that began with a much broader range of initiatives than simply fighting high-stakes testing. However, as with NYCoRE in New York, high-stakes testing issues soon became their primary focus. Of all the groups providing support to the California anti-testing movement, CEJ probably contributed the most solid, long-range support system for the movement. Because of its strong, long-existing ties with minority interest groups, they were able to tap into a pre-existing activist network that facilitated their framing efforts by broadening their access to pools of potential recruits. CEJ also succeeded in developing strategic alliances with other groups they believed could provide additional support and round out their overall influence. Californians For Justice appears to have been headed in the same direction.

In regard to groups that had existed solely as anti-testing organizations, both the California and Massachusetts CARE organizations were the most powerful and influential. The strength of MassCARE came from its ability to branch out into communities, forming local affiliates. These local affiliates often succeeded in achieving their immediate goals such as securing the right to opt their children out of testing or protection from retaliation over boycotts by exerting pressure on their local school committees, which were often more accessible and responsive to citizens' demands. Both CARE Websites have links to FairTest, but I found FairTest to be more directly involved in Massachusetts protest activities. Interestingly, MassCARE's primary mobilization strategy involved setting up dozens of local-level affiliates, while CalCARE tapped local support through organizations such as CEJ and CFJ.

The political process model's component of mobilizing structures is usually discussed in terms of social structures. McCarthy (1999, p. 145) gives examples of movement structures such as activist networks, affinity groups, memory communities, SMOs (social movement organizations), protest committees, and movement schools. However, these categories fail to address the analytical value of those *vehicles* through which participants in these types of social structures actually conduct their mobilizing and framing processes. Perhaps, then, a component of mobilizing structures that would address this would be that of a *framing forum*. One type of framing forum refers to popular media such as hard-copy or online periodicals, television, radio, and Internet. I have already given numerous examples of how the Internet has provided such a forum, and have observed how researchers (such as Geser, 2001) have begun to explore its ramifications. Repeatedly I saw the anti-testing movement take giant steps forward after

mainstream newspapers published articles or commentaries, such as the Greenburg

op-ed series in Massachusetts, *The New York Times 2001* expose on scoring flaws,

and the *LA Times* denouncement of SAT9 questions in 2000. Another type of framing

forum refers to colleges and universities, which have pre-established professional

networks of scholars, connections with publishers, and the inherent level of credibility

that tends to accompany the scholarly community. They can be distinguished from

social or political organizations because, as institutions, they do not generally profess to

a social or political agenda beyond promoting scholarship. Yet individuals and groups

who are connected with universities often exploit university networks, or they are

exploited by external groups because of prestige that accompanies their association

with a university or college. One common example would be the inclusion of university

professors as speakers at rallies, such as the 2003 rally in Texas and the 2001 rally in

New York. Another example of this would be Eugene Garcia, dean of UC Berkeley's

School of Education, who spoke out at anti-test meetings while serving on an advisory

committee to the Board of Education, and the group of university professors who spoke

out against the Massachusetts science exam in 2005. A different type of example of this

form of mobilization structure would be UCLA's action research group, the Institute for

Democracy, Education, and Access (IDEA) (see

http://www.idea.gseis.ucla.edu/about/index.html). I believe that it is important to realize

that these framing forums contributed greatly to the framing efforts of anti-testing efforts

in all four states examined in this study.

Political Opportunity

In this section I will weave together my findings on social and political specifics of the five states with my original working components of political opportunity: the presence of allies, the existence of political access points, levels of repression of marginalized groups, degrees of openness of the polity, divisions within the elite, and the state's policy implementation capacity. However, as I began to collect data on protest activity, I found another factor that proved to be salient in the context of this study: the *consequences* of protest. Therefore, I will first discuss my rationale for including this factor and how it has influenced variations in protest development.

With the anti-testing issue, associations frequently occur between the public school (an agency of the state) and its administrators, teachers, and students that require consideration of what Rhomberg (2004) refers to as "location of boundaries between the public and private worlds" (p.6). As an employee of the state, the administrators and teachers who personally oppose an education policy are forced to question whether they have the right to speak out publicly against state policy. The student has no voice in public policy at all. Therefore, if a student, teacher, or administrator is involved in a direct boycott of a test, the personal and professional risks are considerable. A student who refuses to take a state-mandated exit exam can be denied a diploma; a teacher who refuses to administer a state-mandated exam or even speaks out against the exam can lose his or her job and/or license to teach; an administrator who speaks out against state education policies may be committing professional suicide. Although the concept of consequences is related closely to the more general concept of political repression, *consequences of protest* refer more

directly and specifically to outcomes in the educational arena. Therefore, I will include consequences of protest as a component of political opportunity to be considered in this study.

In California, where there has been a greater volume of anti-testing protests than in any other state, the consequences of protest played an important role in protest development. Under the California Education Code Section 60640, parents have the legal right to request that their child be withheld from state-mandated testing. However, in 1999, Senate Bill 2x authorized that the California High School Exit Exam (CAHSEE) was to be used as a graduation requirement to which the opt-out law did not apply. The passage of SB 2x coincides precisely with the onset of anti-testing protests in that state, but the relationship is complex. With the tightening up of graduation requirements, students and parents rebelled against what they perceived to be racist and unfair requirements (oppression of marginalized groups). The possibility of enacting change in the law by boycotting the exit exam overshadowed the *future* consequence of being denied a diploma. However, the "opt-out" law led to massive protests against state-mandated tests in all other grade levels because parents, especially those who were concerned about their children's limited language capabilities, knew that their children would suffer no immediate consequences from opting out. Therefore, the opt-out law drastically limited the state's capacity to implement the testing program, thereby increasing political opportunity for further resistance on the part of parents. Protests peaked in California in 2001 after considerable efforts by anti-testing activists to publicize the parental right to opt out. Understanding the adverse psychological effects of testing limited English proficient students in English, and knowing that an absence of

these students would boost their campus scores, even teachers and administrators

began to publicize the right to opt out. Because California law allowed teachers and

administrators to *notify* parents about the opt-out law, but prohibited them from

encouraging it, many teachers, administrators, and board members faced disciplinary

actions as a consequence of crossing that critical line. In fact, when I asked Peter

Farruggio of CalCARE what types of resistance, if any, his organization had

encountered, his response was "Fear of retribution among teachers" (personal

communication, 2006). The consequences of speaking out against the tests raised

questions about teachers' First Amendment rights, and led to efforts on the part of CEJ

to pressure the Los Angeles school district to codify the rights of teachers. This trend

continued until federal mandates under NCLB restricted schools to a minimum number

of students tested and denied federal funds to those who did not meet that minimum.

The dilemma created by the NCLB restrictions prompted outcries from school board

officials and administrators protesting what they saw as a no-win situation; they believed

that schools with large concentrations of limited English proficient students would suffer

losses of badly needed federal funds whether those students took the tests or not.

Another dynamic developed when parents in magnet schools realized that they could

use the consequences as leverage to get school officials to meet their demands at local

campuses. Knowing that their school would face federal funding penalties if too many

students missed the test and that campus-level scores would drop considerably if too

many high-achieving students failed to show, parents threatened to withhold their

children to get the honors programs they wanted.

There are no "opt-out" state laws in Massachusetts, New York, or Texas. During the first student boycotts in 1999 in Massachusetts, the MCAS graduation requirement had not yet taken effect, but there were still consequences to be faced by student boycotters. The first student boycotter was only given a failing grade, but when Danvers High School students circulated a petition in opposition to the MCAS and one student refused to take the test, consequences were more severe. The student who refused to take the test was arrested, seven of the key students in the petition drive were suspended, and no other student boycotts ensued that year. However, the consequences spurred multiple other protests in the form of meetings and open verbal challenges, such as the challenge that MassParents made to the Cambridge Schools Committee to guarantee that there would be no reprisals against boycotters or school personnel who spoke out against MCAS. Furthermore, under pressure from local activists, the Arlington School Committee issued a formal resolution to the State Board of Education denouncing MCAS mandates, creating political access points for protesters and demonstrating the presence of allies and divisions within the education institution itself. Massive, widespread boycotts occurred after these events became known. FairTest officials (2000a) attributed the increased participation in boycotts to the removal of threats of consequences. Gradually, local activists, aided by the many local CARE chapters, began to put pressure on local school committees around the state to ease testing requirements on the district level. Even before the first graduating class could be affected by the MCAS graduation requirement, a class-action lawsuit had been filed against the state for denying diplomas to students who failed the MCAS. Seeing that the lawsuit was not going to succeed in time for the class of 2003 to benefit,

Education Commissioner David Driscoll announced the granting of waivers for students who tried but failed the MCAS three times. Softening the effects of failing the MCAS had the effect of quelling student boycotts from then on through 2005, although rallies, demonstrations, and open verbal challenges have continued. Ironically, the long-term consequence of Massachusetts' Education Reform Act since this announcement has been a sharp rise in drop-out rates that has led to even more serious protests from the education community. Apparently students who initially had been appeased by the promise of waivers found it easier to drop out and get a GED.

Interesting examples of the influence of consequences also occurred in New York. When parents and teachers presented a position paper to the State Board of Education elaborating on the problems and defects of the second grade reading test, the very positive consequence was that the test was cancelled by the state. This apparent openness of the polity to protester demands may have emboldened the Scarsdale families who led the first large-scale protest two years later. As in the earlier challenge, the families initially obtained a favorable consequence. In this case, Scarsdale Superintendent McGill supported the parents by abandoning the district's test-prep curriculum. However, when the state later threatened consequences for McGill and for Scarsdale schools, the parents backed down on their demands. Then, as a consequence of the large-scale boycott of the Regents Exam in New York City in 2002, the state changed its regulations to require schools to administer the tests to children even if parents send written instructions not to do so. Although this tactic virtually put an end to testing boycotts, it spurred alternative protest strategies around the state.

In Texas, student boycotts of state tests have occurred on a very limited scale. Reports of individual student boycotts of the test have received the most media attention. In both instances that involved the boycott of the TAKS Exit Exam by high school students, the students were warned of potential negative consequences of their actions. In both cases the students were honor students from affluent families, and they chose to proceed with the protests in spite of the warnings. One student later debunked the threats of consequences when she applied to her three top choices of colleges and was accepted and offered scholarships at all of them. However, not all students are fortunate enough to have the kind of support that usually accompanies such high achievement. In all five states there are numerous reports of increasing dropout rates (Walker, 2005; ParentsCARE, 2005; NYCoRE, 2004, Harvard, 2005), particularly among low-income minority students who lack the resources to fight the consequences. Because the high-stakes accountability policies themselves tend to result in negative consequences for minorities, both the direct consequences of the policies and the further consequences for protesting them represent a direct means of governmental repression of marginalized groups.

Earlier I reported on some of the relationships that I observed between various demographic factors and protest development. Although I noticed differences in protest concerns expressed in the different states and at different times, I observed that all of the earliest reported protests were in fact initiated by middle to upper-class groups of people. In California, the earliest protest reports come out of Marin County, which has the highest per capita income rate in the entire nation. Not being familiar with the area, the fact initially eluded me because the concerns they expressed were the lack of

equity, the perception of racism and classism, and lack of attention to individuals with disabilities and/or language differences --- not the issues one would expect to hear from a group of affluent students. However, I found that along side these very affluent communities lay two very low-income neighborhoods of families living primarily in public housing and over-crowded apartments: the racially diverse community of Marin City, and the largely Hispanic community of The Canal. Thus, I wondered whether there had been some outside framing efforts to raise their level of awareness of this socioeconomic contrast. In view of the fact that Marin County School Board trustee Richard Raznikov reinforced these same concerns as well as a concern for the consideration of social and economic factors when he handed out boycott fliers at Drake High School on test day the following year, I wondered whether he may have been involved in orchestrating the Drake boycott and framing the issues for the students who participated. I followed up on this question with Richard Raznikov himself (personal communication, 2006), and found this not to be the case. He said that he had not become involved until after the1999 protest, that the protest had been entirely student-driven, and that the students had generated the concerns on their own. After he was elected to the board later in 1999, however, he did work with the students. Raznikov explained: "When I joined the board I attempted to respond to concerns expressed to me by several counselors by meeting with some students and working with them to form a student movement" (personal communication, 2006).

Raznikov further elaborated on the concerns that had arisen from his meetings with the school counselors --- concerns that have been expressed by the National Association of School Psychologists and other groups. Raznikov explained:

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I found students at Drake (and at the other four district high schools) to be in deep trouble at a rate which neither my fellow board members nor the community as a whole would acknowledge; this is a VERY rich school district and, while officials always claim that "our students come first," it turns out that, actually, real estate values are more important; hence a great emphasis placed on the results of standardized tests because of course the Tam District always ran ahead of everyone.

The students ARE, in general, bright kids, and also in general they are mostly white and affluent. A great many have parents who have been planning on their kid(s) attending Yale and Stanford. All of this feeds an educational environment and social environment in which kids are stressed to an unhealthy degree. I tried to interest the district board in a workshop in hearing on student stress but was told there was no time to do this. The superintendent refused to give me documentary materials I had requested (I'd been tipped-off that something was really wrong when the 'site council' notes for Redwood included the stunning mention of ELEVEN suicide attempts by students in the half-completed school year, a measurable percentage of the school population). The more I dug the worse the smell got and the more trouble I got into. (personal communication, 2006)

I was interested in why such serious concerns were not openly vocalized by protesters. Perhaps Raznikov and other protest organizers, conscious of the fact that news of the student suicide attempts and overall concerns about their psychological well-being were being swept under the rug, took a more pragmatic approach. Klandermans and Goslinga (1996) discussed findings of Van Dijk that address this: "Van Dijk concluded that in media discourse on social conflicts the dominant interpretation of the conflicts receives the most attention of the media. The views of the strikers, protesters, or contenders receive a much less prominent place" (p. 320). Especially in view of the sensitive task of protecting the identities of minors, Raznikov and other early organizers may have consciously chosen to align their mobilization efforts with the *master frame* that was emerging in the media, one that primarily concerned issues of equity, race, and language barriers.

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In contrast, the earliest protests in New York and Massachusetts, though they were also initiated by affluent groups, focused on issues of test quality, reliability and validity, and the effects of the testing program on the overall quality of curriculum and instruction. Even in Texas, where protests have been relatively limited, the earliest protests were initiated by teachers and parents from the mostly Anglo, middle-class community of Georgetown concerned about the use of a single test to make high-stakes decisions. Either way, these more affluent groups served as trailblazers for the anti-testing movements in all four states. Gary Natriello, a professor of sociology and education at Teachers College at Columbia University (in Danitz, 2000), addressed the significance of the involvement of the middle classes: "For the first time this (school reform) is hitting middle-class white people in the suburbs, and those are people who tend to know how to work the political system" (para. 14). Members of the middle classes have connections --- to university professors, PTA groups, church groups, and political groups. Even the group of Marin County students that boycotted the test in 1999 had the savvy to understand how to *approach* the boycott. They did not simply walk out on a whim; they aimed directly at the political access points. Not only did they have the foresight to forewarn their principal of their intentions, thereby avoiding punishment afterward, they wrote letters to the school board, the State Board of Education, and the governor, appealing to officials' sense of altruism. In New York, the group of middle-class parents and professional educators knew exactly how to access the polity: they went directly to the State Board of Education with a formal written position statement. In Massachusetts, the ad hoc group of middle-class parents and professional educators conducted a study and presented the results to State Board of

Education officials in the presence of the media. Even later, as local CARE affiliates began to play a critical role in Massachusetts suburbs, the middle class CARE members were careful to take a middle-road stance on resistance, choosing to nurture "the group's increasingly congenial relationship with local school officials who have called on the legislature to end the test's high-stakes component" (Fox, 2001, September, para. 25). By employing these resistance strategies, middle-class protesters in Massachusetts, California, and New York were able to preserve their political alliances and maximize the openness of the polity to their concerns. However large or small their successes were, they effectively raised public awareness of the issues and promoted a general sense of hope for enacting change that others could build upon.

In New York, protest participation has continued to include primarily middle and upper-middle class groups. In California, protest initiators have also continued to be primarily middle class, but there has been a difference. The early and continued presence of CEJ and CalCARE has served to focus concerns more on the issues of low-income and limited English proficient groups all along, with other minority support groups joining them later. In 2005, the California Association for Bilingual Education supported a group of poor districts in a major lawsuit against the government over NCLB mandates.

In Massachusetts, however, a different urban-suburban dynamic developed. Dennis Fox (2001a) explains:

> The state's response to mounting protests has been to dismiss anti-test forces as selfish suburban parents who don't care if poor urban people of color continue to receive inadequate education. There's a grain of truth in this, but only a small one. It's no surprise that protective anti-testing suburbanites have gotten national press attention, most recently in Scarsdale, New York, and Mann County, California, In Massachusetts, the Boston Globe ignores or downplays most anti-

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MCAS protests, but especially those held in urban districts. So efforts to split anti-test forces along urban/suburban lines may prove successful. (p. 9)

According to Fox (2001a), poor urban communities have had mixed reactions to state-mandated tests, often indicating that they prefer the flawed testing program to being ignored. However, in 2001 there was a distinct point at which urban minority groups began to participate more actively in protests. As predicted by student members of SCAM who had held an open forum at Roxbury Community College, urban minorities began to participate once they began having to take the tests in April of 2001. Not only did parents assert their wishes to their principal not to force their children to take the MCAS at the mostly minority school Mission Hill in Boston, most of them withheld their students on test day. By the fall of 2001, the Boston chapter of the National Association for the Advancement of Colored People, the Hispanic Office for Planning and Evaluation, and the Greater Boston Civil Rights Coalition had joined forces through the Alliance for High Standards Not High Stakes.

Another factor influencing the openness of the polity has been the balance or lack of balance of political party influence in the five states. As reported earlier, all five states have Republican governors, but California, Massachusetts, and New York have a majority of Democratic state legislators. The significance of this political reality is that Democratic politicians have tended to support civil rights issues and oppose high-stakes accountability policies and privatization of education. Under President Clinton's education plan, schools were expected to administer the National Assessment of Educational Progress (NAEP) to compare their progress to schools across the nation, but the plan included more funding and maintained the voluntary status of state

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compliance with federal standards. This policy did not go against the Democratic philosophy. However, when the Bush administration proposed NCLB, Stan Karp (2004) asserts that Democrats supported it because it was the only way that they could see to get Republicans to provide necessary education funding. When the federal government did not come through with that funding, and when repercussions from the strict mandates began to resonate, the level of Democratic support of high-stakes accountability policies decreased considerably. Conservative columnist Ronald Brownstein (2004) comments on how 2004 presidential candidates retreated from their original stand by requesting "more money and less accountability" (para. 2). He quotes Massachusetts Senator John Kerry, "We have to get rid of this one-size-fits-all testing mania that is destroying the ability of people to apply discretion" (para. 4).

With greater concentrations of Democrats who were more in tune with high-stakes testing concerns, state and local politicians in California, Massachusetts, and New York were initially fairly responsive to protester complaints. In California, for example, the Los Angeles school board agreed to reduce the number of test sections required of students. Later the California state legislature passed AB 356 and AB 1609 which both addressed protester demands for change. Then, when state officials began to see their compromises clash with federal requirements under NCLB, they became angry at what they perceived to be a no-win situation, and began to rebel against the federal mandates themselves. The same was true at times in Massachusetts and New York. In New York, the state legislature was more open to protester concerns than was the State Board of Education, as was shown by the efforts of State Assembly members Richard Brodsky and Amy Paulin to promote compromises with the State Board and by

their introduction of a bill proposing alternatives to standardized tests. In contrast, the

Board of Education, under Commissioner Mills, made threats of punishment to schools

that supported protester concerns, and then tightened up on test administration

requirements. The Massachusetts Board of Education, four members of which were

also members of the neo-conservative Pioneer Institute, made initial promises to early

protesters, but held a hard line thereafter until 2002. Late in 2002, in an effort to avert a

pending crisis level rate of MCAS failures, Education Commissioner Driscoll announced

MCAS waivers. Ironically, Massachusetts Democratic legislators were not quick to come

to the rescue. In September of 2001, Fox (2001a) complained, "The almost completely

Democratic legislature has yet to intervene in MCAS policy" (para. 12). However, by

2004, twenty-eight bills (all seeking relief from MCAS mandates and all proposed by

Democratic state legislators) were filed before the state legislature.

In Texas, where politics have been dominated by Republican interests in recent

decades, there is no substantial political support for those who speak out against TAKS.

This is not surprising in view of the fact that both former Secretary of Education Rod

Paige and current Secretary of Education Margaret Spellings hail from Texas, as does

one of the engineers of NCLB, Sandy Kress. Even the majority of Democratic legislators

who responded to the National Political Awareness Test (NPAT) indicated more support

for standards and testing issues than in most states, so there is little division among

elite policymakers and few political allies for the anti-testing movement in Texas. The

few Democratic state legislators who do oppose TAKS openly, such as State

Representative Dora Olivo, have watched their bills be defeated repeatedly. State

Senator Teel Bivens (R-district 31), former chairman of the Senate Education

Committee, refused to allow Olivo's bill even to come to the floor for discussion.

Recently when I asked author and anti-testing activist Alfie Kohn what factors he

thought may have inhibited protest development in Texas, he responded simply, "Fear"

(personal communication, 2006). Previously, he had related to me something he had

been told when he spoke in Dallas at Southern Methodist University to a much smaller-

than-expected crowd:

> I was told that principals were tearing down posters advertising the event so their teachers wouldn't be exposed to something that could rock the boat -- and thereby threaten their own success at raising scores, collecting bonuses, etc. Texans have been frightened into submission to an extent that transcends what's happening in most other states. (personal communication, 2002)

Late in 2004, Gary Hardee wrote an article for the *Fort Worth Star Telegram* that

reflects this scenario. The article describes a conversation he had had with an educator

friend of his who works in the San Antonio area. His friend had written to him

complaining strongly that NCLB was bound to doom schools to failure. Hardee (2004)

speaks of his conversation, quoting his friend:

> I don't think the public has any idea what kind of farce has been foisted on us and the consequences of that farce," he said, asking for anonymity for fear of being fired for his viewpoints. "I am in support of high standards but this stupid law will produce some bad consequences for the most vulnerable students (para. 3).

Hardee went on to tell how he had attended a meeting of Arlington, Texas principals at

which the Arlington school superintendent Mac Bernd had prompted his principals to

share with Hardee their views on NCLB. One principal, addressing the disconnect

between NCLB and the reality of trying to teach special-needs children, described the

situation as being "set up for failure." Another described how teachers were feeling

pressured and defeated. Hardee (2004) made the final comment, "I saw professional

educators who were turning up their hands in frustration" (para. 17). The reactions of

those administrators forces one to speculate about what factors could possibly lead educators to feel so powerless that they are scared into such silence. I examined the possibility that the lack of collective bargaining rights in Texas may contribute to such feelings of powerlessness. Although there is some fear of retribution expressed by teachers in New York, California, and Massachusetts, perhaps the fact that teachers in those other states do have collective bargaining power through their teachers unions may be allaying their fears, but the state of Texas certainly appears to have a higher propensity for repression of opposition.

Considering all of these factors that have contributed to and detracted from anti-testing protests in the other four states, there are several explanations why South Carolina has had no reports of anti-testing protests as yet. First, the state has a Republican governor who indicated a support of both issues related to standards and testing on the NPAT. South Carolina also has a Republican majority in the state legislature, and even most of the Democratic legislators indicate support for both issues related to standards and testing on the NPAT. Apparently the state does not possess a political composition that is at all likely to question the state's present standards and accountability system. A second reason may be that there is a lower concentration of middle class groups that understand how to access the polity. A third and more major reason is that the state has a long history of seriously high dropout and unemployment rates, and 67% of its school districts are located in rural areas that contain some of the poorest, most under-funded schools in America. In fact, in a recent article by Bob Kemper (2006), South Carolina State Representative Gilda Cobb-Hunter (D-district 66) commented, "There are two South Carolinas, one urban and one rural. A child's

education is based on geography" (para. 7). Therefore, South Carolina's major focus of concern has been on securing funding for some of the most neglected students in the country. Concerns about testing issues have been eclipsed by stakeholders' fight for adequate funding. In 1993, rural school officials and community members finally sued the State of South Carolina for additional funding. After more than a decade of court battles, a judge ruled in December of 2005 that the state did not provide a minimally adequate education because of under-funded early childhood programs for several rural areas. However, I believe a fourth major factor in the lack of anti-testing protests is South Carolina's comprehensive assistance program for at-risk students and their families and the fact that it preceded the implementation of the state's accountability program. Stopping short of punishing or labeling low-performing schools, the state instead chose to acknowledge a *shared responsibility* for student success. Time will tell whether this program, once it is accompanied by adequate funding to rural schools, is as solid and effective as it now appears to be.

A final bit of analysis involves what the social movement literature refers to as a "systemic crisis" (McAdam, p. 24), which renders the state or government weak or vulnerable to challenge. Within the last five years, this country has witnessed no less than three such crises: the 9-11 terrorist attacks, the war in Iraq, and Hurricane Katrina. I found each of these events to have notable effects on the anti-testing movement. The terrorist attacks shook America's sense of security unlike no other event since Pearl Harbor. However, rather than encouraging further challenges from anti-testing activists, the event seems to have diminished them at least temporarily. Previously I mentioned that a previously planned anti-testing rally in New York in October, 2001, was seriously

affected by the event. Security was so tight that many were reluctant to show. But there

was apparently another dynamic involved because anti-testing protests all but

disappeared across the country for about five months following the events of 9/11. The

profound effects of the events on the general mental and emotional state of people

around the country may have contributed to an unwillingness to protest high-stakes

testing or anything else. This was a time when teachers and students who would have

ordinarily gathered in protest of an issue were instead gathered around flagpoles

holding hands and singing *God Bless America*. An overwhelming sense of patriotic

protectiveness seemed to paralyze even the most activist-minded souls from attacking

anything to do with the American government, as was evident in the temporary increase

in President G. W. Bush's approval ratings during that time. Not until February, 2002,

with spring test administrations just around the corner, did protest activity resume

around the country. By that month, there was already a question of whether the federal

funds previously promised for NCLB might have been drained by recovery efforts

following 9-11. After President Bush led the country into the highly controversial and

expensive war with Iraq, the national debt began to rise at unbelievable rates. The

realization hit that not only had NCLB been under-funded to begin with, but as well

federal funds to support the strict mandates of NCLB were being sponged by the war.

An editorial in *Rethinking Schools* (2003) addresses this issue:

> Unlike the first Gulf War, when the United States had several allies willing to
> pony up to share the costs, this time the burden will fall almost exclusively on
> U.S. taxpayers….These massive federal expenditures are coming at a time when
> most local and state governments — and school districts — are reeling under
> huge budget cuts. According to *Education Week*, "States find themselves with a
> total of $40 billion in estimated current-year revenue shortfalls [and]... $60 billion
> in projected shortfalls for the next budget year." *Education Week* concludes,

"[T]he stormclouds are building right over school budgets"…. Last year, in an unprecedented move, the federal government intervened in the content of schooling through the No Child Left Behind Act (NCLB) mandating assessments (read: tests) in grades three to eight. The National Conference of State Legislatures estimates that it will cost states a total of $1 billion each year to comply with the testing requirements of the NCLB, while the federal government is giving states only $400 million in the first year of the law. The NCLB was not fully funded from the start. Now Bush has proposed cutting $90 million from existing funds and providing $6 billion less for Title I than the Act calls for. (para. 10-14)

These circumstances further angered state education officials and had the effect of rendering the federal government vulnerable to lawsuits from states in protest of the unfunded mandates. In 2005, the state of Connecticut sued the federal government over inadequate funding for NCLB, and NEA filed suit on behalf of Michigan, Texas, and Vermont. The devastation of Hurricane Katrina on Louisiana and Mississippi in 2005 left the federal government even less able to provide education funding and further decreased the American public's confidence in the Bush administration. Loss of confidence in current federal officials would tend to increase public scrutiny of all Bush administration policies. Also, there was tragic irony in the fact that thousands of school children had to be relocated to surrounding states or to parts of Louisiana less affected by the hurricane. The destruction or closing of many Louisiana schools and the relocation of many students meant that not only did Louisiana have to suspend its high-stakes testing programs, but that the children were further victimized by having to take the high-stakes tests in their new locations. According to an Associated Press article (Weber, 2006), two thousand Katrina refugees who relocated to Texas failed the TAKS and may not be able to pass to the next grade. These conditions exist in other states as well and will likely become fuel for anti-testing protests in the future.

Conclusion

In Chapter IV I have used the political process model as a filter for analyzing many social, political, and demographic factors that may have promoted or inhibited the development of anti-testing protest activity in the states of California, Massachusetts, New York, South Carolina, and Texas. I examined the major concerns indicated in position statements of professional education organizations and noted patterns of occurrence of these concerns in protests. I discussed how both covert and overt examples of framing processes on both sides of the anti-testing issue affected the formation of opinions about high-stakes testing around the country. I explained the profound impact of the Internet as one of several types of framing forums, and discussed how these and other social and political structures networked to mobilize protests. I examined how standards and accountability legislation was developed and implemented in each state and noted how legislation and legislative processes affected perceptions about academic accountability in each of the five states. I also discussed the relationships between political opportunity and factors such as demographics, collective bargaining, consequences of protest, and political party affiliations. I found that the convergence of social and political forces in California and Massachusetts were more conducive to anti-testing protest development than in any other state in the country. I found similar factors contributing to moderate levels of protest activity in the state of New York. However, I found the social and political forces in Texas to be more repressive of anti-testing protests, but saw possibilities for future escalation of resistance in that state. In South Carolina, I discovered that their lack of anti-testing

protests was probably due to social and political forces that had combined with well-

conceived and well-administered education legislation.

CHAPTER V

DISCUSSION AND CONCLUSION

Introduction

As often is the case with many researchers, my study was motivated by a burning curiosity about an issue. I wondered why protests over high-stakes testing were raging in some states and not in others. I wished to understand why two states could have similar accountability policies, yet in one state citizens were accepting and compliant while in the other citizens rebelled fiercely. I quickly became aware of how complex the surrounding issues were, and realized that I needed an efficient analytical tool for managing these complexities. Based on what I understood about McAdam's political process model, I hoped that the model would serve as such a tool. Therefore, I will include in this chapter my evaluation of how adequate the components of the political process model were in analyzing anti-testing protest development in the five states. I will explain the significance of my findings and discuss implications for future research on high-stakes testing and other related issues that arose over the course of the study. I will conclude with reflections on how this study and others fit into the broad scheme of the institution of education in America.

The Political Process Model as an Analytical Tool

in the Context of this Study

As stated in Chapter III, one goal of this study was to determine whether the McAdam's political process model would apply efficiently to the context of the anti-testing movement. In keeping with Yin's (1994) perspective of literal replication, I

focused on the theory-building benefits of such an application. Although I found that the political process provided a highly efficient analytical framework in general, I believe that the success I experienced in applying the model was enhanced by the fact that I applied it comparatively across several states. Applying McAdam's model to multiple cases facilitated the discovery of patterns and relationships that may have otherwise eluded me. For example, in applying the mobilizing structures component to the four states that experienced anti-testing protests, I was able to recognize the interconnectedness of many state-level anti-testing organizations with the ARN/FairTest organization. By looking at several different states, I was able to see ARN/FairTest organization's hand in forming mobilizing structures and mobilizing protest activities in those states. The significance of finding ARN's influence in several states is that it appears to have contributed greatly to the success of protests in those states by providing information, access to speakers, and mobilizing strategies that stem from its years of experience with resistance to high-stakes testing. Even in Texas, which has yet to experience wide-spread anti-testing protests, the assistance of ARN led to the largest and most well-organized protest to date. In applying the political opportunity component, analyzing the political affiliations of state legislators and governors in the five different states showed clearly that divided political loyalties provided greater political opportunity for protest development in those states. Specifically California, Massachusetts, and New York --- states that had Republican governors but a Democratic majority in the state legislature --- experienced the most anti-testing protests. If additional research were to support this finding in other states, the existence of divided political loyalties could become a particularly significant factor in protesters' strategic decisions. The application of the

political opportunity component to multiple states also led to the discovery that anti-testing protests were spearheaded by middle-class and upper-middle-class activists no matter what the differences were in grievances or demographics in the states. I could not have observed these patterns had I analyzed only one or two states. These findings support Yin's (1994) assertion, "The evidence from multiple cases is often considered more compelling, and the overall study is therefore regarded as being more robust" (p. 45).

One aspect of the framing processes component seemed to take precedence when applied to the context of the high-stakes testing movement. When I began analyzing data, I very quickly found it necessary to focus on protester grievances or concerns. When McAdam discussed the hurdles that protesters must use framing to overcome, he did not specifically include the development of a master frame around which protesters could most successfully mobilize. However, more recent syntheses of the structure of framing processes focus on the importance of "shared perceptions" (McAdam, 1999, p. 6) for successful mobilization. I found evidence both in California and Massachusetts that protesters had to shift the focus of their concerns somewhat to include the concerns of a broader range of recruits and to match what the media was willing to carry. Interestingly, I found no evidence that this shifting of focus was a deliberate strategy on the part of protest organizers. Instead the shift appeared to evolve in both states as their movements gained momentum and broadened their membership. However, it would seem prudent for protesters in other states to learn from this and undertake deliberate consideration of the most efficacious master frame for their particular state.

I felt compelled to add to the existing framework of the mobilizing structures component in order to accommodate the findings in this study. As I discussed in Chapter IV, the component of mobilizing structures has primarily referred to social and political structures through which framing processes occurred. Although recent articles have devoted considerable attention to the influence of the Internet in social movements, I have seen no attempt to define a distinct sub-category that would (a) recognize the important roles played by the Internet and other media and network structures, and (b) separate them from social and political mobilizing structures. I call this sub-category a framing forum and define it as a communication network or medium through which framing processes are delivered.

My research in the context of the education field also yielded findings that warranted further description than the literature has provided on the political opportunity component. I explained in Chapter IV how critical the consequences of protest were when analyzing protests that occur within the context of public education. Although such consequences of protest may be more conspicuous in this context, there is no doubt that they have been a factor in many other social movements in a variety of contexts. Other than discussions of the government's capacity for repression, I have found no specific mention of the consequences of protest in discussions about the structure of political opportunities.

One further shortcoming of the political process model is its failure to acknowledge more passive forms of resistance to high-stakes testing. Earlier I discussed the fact that the majority of protests against high-stakes testing were initiated by middle-class and upper-class individuals who understand how to work the political

system. In view of this, it is not surprising that resistance to high-stakes testing takes on more passive forms among the lower classes. There was evidence in Massachusetts, California, and Texas that many lower class students are dropping out rather than to attempt to pass exit exams, or are attempting to get high school equivalency diplomas instead. Such passive forms of resistance could prove to have devastating social effects and should be carefully examined.

Overall, however, the political process model has withstood the test of application to this educational context. The model has consistently illuminated the complex motives of both proponents and opponents of the accountability movement, and has facilitated explanation of differences in state-to-state anti-testing protest development. In fact, it has applied with such efficiency that it powerfully indicates the need for further analysis of this kind to be conducted regularly in colleges of education as an integral research focus of faculty and teacher-trainees alike. If colleges of education were to consider training future education professionals in the use of such models to critically analyze existing education policy, in-service educators might show greater willingness to speak up when practice demonstrates detrimental effects of policies on children.

Implications for Future Research

I acknowledged in Chapter I that the anti-testing movement was in its formative stages. The significant events and developments that have occurred in the United States since the date of that writing have reinforced my belief that this study perhaps was conducted prematurely. McAdam (1982) asserted:

> [A]ny event or broad social process that serves to undermine the calculations
> and assumptions on which the political establishment is structured occasions a

shift in political opportunities. Among the events and processes likely to prove disruptive of the political status quo are wars, industrialization, international political realignments, prolonged unemployment, and widespread demographic change. (p. 176)

Several major events have occurred in recent years that have weakened public confidence in the Republican Party and in the federal government in general. In view of conservative politicians' strong support of high-stakes testing policies, this weakened confidence could translate into tremendous shifts in political alignment and in political opportunity for anti-testing protesters in the future. In Chapter IV I discussed the example of how the 9-11-01 terrorist attacks initially united Americans, promoted patriotism and support for the government, and subdued anti-testing protests. However powerful, those political effects were only temporary. The unified support for the government disappeared as soon as serious questions began to arise about the Bush administration's apparent manipulation of facts to solicit support for the invasion of Iraq and alleged misuse of power in structuring the new Department of Homeland Security. The war's drain on the national economy further deteriorated support and led to protests over the lack of funding for NCLB. The federal government's perceived failure to aid and protect vulnerable populations after the Hurricane Katrina disaster further eroded public support for the Republican Party, especially among minority populations. Most recently the country has experienced a widespread explosion in the public's willingness to acknowledge human influence on global warming effects and to question the administration's failure to take more serious preventive measures. The combined effect of these events has forced public scrutiny of Republican policies in general. If the public rejects Republican policies and shifts political alignment toward more progressive policies proposed by Democratic and independent politicians, a dramatic surge in

political opportunity for the anti-testing movement could result. Based on these considerations, conducting a follow-up study several years from now would most certainly yield valuable insights.

This study yielded other implications for additional research apart from that which is related to the high-stakes testing movement. One such implication is the need for research on issues of free speech of those in the public education profession. It seems unreasonable that in a country that values free speech highly, teachers and administrators --- the very individuals who are in the best position to see the effects of education policy most clearly --- are all but being muzzled by the institution of public education itself. Qualitative studies are needed to examine the ramifications of being an "employee of the state." An appropriate target for such a study might be to examine the inner workings of site-based management teams that outwardly appear to provide forums for teachers and parents to air complaints about policy but rarely allow this in reality.

My personal frustration in trying to find a consistent, recent, comparative indicator of dropout rates for the five states that I analyzed has led me to believe that more effort needs to be devoted into developing such indicators. My own findings indicated that dropout rates are easily distorted through the use of inconsistent formulas, and frequently are used by politicians to mislead the public on the effects of accountability policies. With the realization that dropout rates are a complex issue, researchers must work to develop a uniform definition and formula that is less prone to abuse, distortion, and misinterpretation.

I also recommend that further study be conducted on the educational system in South Carolina. In Chapter IV I reported on the comprehensive family literacy programs that have been enacted in the state. According to the National Center for Family Literacy Website (http://www.famlit.org/PolicyandAdvocacy/LiteracyLegislation/sc.cfm), "Currently, the Office of Community Education coordinates federally-funded Even Start Family Literacy, state-funded Act 135 Parenting/Family Literacy, the State Literacy Resource Center, Parents As Teachers, Parent-Child-Home, Volunteerism, Adult Education, McKinney Homeless, Head Start Collaborative and other family literacy-related programs" (p. 2). Yet legislation left each district the freedom to interpret how it would specifically interpret "parenting/ family literacy" and to choose which components to apply in each district. Published progress reports from their seventeen technical assistance sites indicate success in several areas. However, in view of the recent lawsuit over the funding to poor rural districts, there are questions as to whether these programs are being equitably funded. All aspects considered, South Carolina family literacy appears to offer balance to their accountability expectations that warrant further investigation to determine whether such programs could benefit communities in other states. Finally, I would hope that such an investigation would include cross-state comparisons of needs and programs that would eventually result in stronger interstate communication about the development of effective education policy.

Conculsion

In spite of the fact that developments in the anti-testing movement are still occurring across the country and are likely to continue for some time, there are

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important benefits of having conducted this study when I did. All too frequently the damage of poorly-conceived policies is done before it is widely noticed, and those affected most severely are often likely to react individually and emotionally rather than rationally and collectively. Thus, their complaints elicit poor responses and the affected individuals are easily marginalized by those in control of the state apparatus. Researchers of educational policy not only own the tools of objectivity and training that can reinsert rationality into the issues, they are positioned such that they can often recognize and illuminate an issue before damage is done. If the researcher's findings indicate serious concerns about a policy, their findings often serve as vital ammunition for activists seeking to validate their complaints to officials, as often has proved to be the case in the anti-high-stakes testing movement.

I began this dissertation with a quote from the late educator John Dewey. In it he discussed the plasticity and docility of the young that allude to the profound vulnerability of the youngest segment of the American population. It is precisely this vulnerability that makes this critical analysis of current educational policy so timely and necessary. Dewey implied a dichotomy in which policymakers can choose education policies that will prepare children to cope wisely, critically, and humanely as adults, or they may prefer instead to indoctrinate them and control their curiosity and skepticism to prepare them to follow unquestioningly the status quo. In either choice, no matter whether the intended results are forthcoming or not, children are at the mercy of the educational system that their society constructs for them. Children have no more choice in the quality of their education than a seed has in the quality of the soil it is planted in. Unfortunately, however, politicians frequently throw policies at the institution of

education in the manner of a farmer blindly tossing seed into the wind just to say it is planted. Researchers cannot afford to delay educational policy analysis until young minds begin to wither. As I was drawing my writing of Chapter IV to a close, I quite accidentally came across a story told by former chairman of the Federal Communications Commission Reed Hundt about former secretary of education William Bennett that should alarm anyone committed to a democratic, equitable public education in America. According to Hundt (2006), when former Sec. of Ed. William Bennett was asked for his support on legislation to provide Internet access to public schools, his response was that "he would not help, because he did not want public schools to obtain new funding, new capability, new tools for success. He wanted them, he said, to fail so that they could be replaced with vouchers, charter schools, religious schools, and other forms of private education" (para. 1).

I would certainly hope that the insights and findings of this study may benefit the public's understanding of how complex and covert political agendas worm their way into educational policies that can have far-reaching effects on individual children and on the society as a whole. If my discussion of framing processes in the context of the standards and accountability movement enables a few citizens to recognize and avoid being taken in by cognitive manipulations, I would consider my efforts worthwhile. I would also hope that activists wishing to undertake constructive protests against the perceived detriments of certain educational policies may learn from this study how to proceed more efficiently. Finally, I would hope that my study would influence those in the education field --- particularly teachers who are in a position to observe directly the effects of educational policy on children --- to understand their legal rights and

limitations, to accept their responsibility for protecting children against detrimental

policies, and to exercise their freedom to voice their concerns as effectively and

constructively as possible.

APPENDIX

Table 3

Accountability Policies in California (CA), Massachusetts (MA), New York (NY), South Carolina (SC), and Texas (TX)

	CA	MA	NY	SC	TX
Tests math at what grade?	2-11	3-10	4,8,10	3-10	3-11
Tests English language arts (ELA) at what grade?	2-11	3-10	4,8,11	3-10	Reading: 3-9; Writing: 4,7; ELA 10,11
Tests science at what grade?	9-11	5,8,10	4,8,9	3-10	5,10,11
Tests social studies in what grade?	9-11	5,8,10	5,8.10,11	3-10	8,10,11
State standards in core subjects?	Yes	Yes	Yes	Yes	Yes
Tests aligned with standards (based on American Federation of Teachers criteria)?	Yes	No	No	No	Yes

(*table continues*)

Table 3 *(continued)*

	CA	MA	NY	SC	TX
Types of Tests:					
Multiple Choice (MC);	MC; SA	MC; SA; ER	MC; SA; ER	MC; SA; ER	MC; SA; ER
Short Answer (SA)					
Extended Response (ER);					
Rewards high performance?	Yes	No	No	Yes	Yes
Sanctions low performance?	Yes	Yes	Yes	Yes	Yes
High School graduation test?	Yes	Yes	Yes	Yes	Yes
Parental right to withhold student from test?	Yes	No	No	No	No
Penalties for refusal?	No	Yes	No.	No	No

Sources:

American Federation of Teachers. Retrieved 1/7/06 from http://www.pbs.org/wgbh/pages/frontline/shows/schools/state/;

TX Education Agency. Retrieved 1/7/06 from http://www.tea.state.tx.us/assessment.html;

MA Dept. of Education. Retrieved 1/7/06 from http://www.doe.mass.edu/Assess/;

CA Education Code Section 60615: Retrieved 1/7/06 from http://caselaw.lp.findlaw.com/cacodes/edc/60604-60618.html

Table 4

Anti-testing Organizations and their Websites

Organization/ Individual	Website	Area Served
New Democracy	http://newdemocracyworld.org/education.htm	MA
MA Coalition for Authentic Reform in Education (MassCare)	http://www.parentscare.org	MA
Teaching to Change LA	http://tcla.gseis.ucla.edu/rights/features/5/index2.html	CA
Alfie Kohn	http://www.alfiekohn.org/standards/standards.htm	National
Calcare	http://www.calcare.org	CA
Rouge Forum	http://www.pipeline.com/~rgibson/rouge_forum/	
Coalition for Better Education	http://www.thecbe.org/	CO
Paul F. Ballantine	http://www.comnet.ca/~pballan/Links.htm	Canada
Concerned Parents of Georgia	http://www.cpoga.org/	GA
Fairtest	http://www.fairtest.org/	National
Florida Coalition for Assessment Reform	http://www.fcar.info/	FL

(*table continues*)

Table 4 *(continued)*

Organization/ Individual	Website	Area Served
North Carolina Citizens for Democratic Schools	http://www.geocities.com/nccds/index.html	NC
Marylanders Against High-stakes Testing	http://www.geocities.com/stophsa/	MD
Mothers Against WASL	http://www.mothersagainstwasl.org/	WA
Students Against Testing	http://www.nomoretests.com/quotes.html	National
Nancy Patterson	http://www.npatterson.net/standardizedtesting.html	National
NY Collective of Radical Educators	www.nycore.org	NY
Paths of Learning	http://www.pathsoflearning.net/library/testing2000.cfm	National
Michigan students	http://www.pipeline.com/~rgibson/meap.html	MI
Anonymous San Diego high school student	http://www.pipeline.com/~rgibson/studentguide.html	CA
Parents Across Virginia United to Reform Standards of Learning	http://www.solreform.com/	VA

(*table continues*)

Table 4 *(continued)*

Organization/ Individual	Website	Area Served
Susan Ohanian	http://www.susanohanian.org/show_nclb_outrages.html	National
NY Performance Standards Consortium	http://www.performanceassessment.org/index.html	NY
Pencilsdown.org	http://www.pencilsdown.org	CA
Organized Students of Chicago	http://www.fairtest.org/arn/CHICSTU.html	IL
Citizens for Effective Schools	http://www.citizenseffectiveschools.org/	MD
Time Out From Testing	http://www.timeoutfromtesting.org	NY
MassParents	http://www.massparents.org	MA
Students Organizing Against MCAS	http://www.massparents.org/student%20writing/opposition grows.htm	MA
Californians for Justice	http://www.caljustice.org	CA
Teachers for Social Justice	http://www.t4sj.org/site/t4sj/	CA
Coalition for Essential Schools	http://www.essentialschools.org/	NY

(table continues)

Table 4 *(continued)*

Organization/ Individual	Website	Area Served
Organization of Proud Parents Opposing State Enforced TAKS	http://www.opposetaks.org	TX
Kimberly Swygert (individual)	http://www.kimberlyswygert.com/archives/cat_antitesting_hysteria.html	National
Investigative newsgroup of former educators	http://www.substancenews.com	IL
Texans for Quality Assessment	http://www.texas-testing.org/	TX
Alliance for High Standards Not High Stakes	http://www.massenglishplus.org/	MA
Coalition for Commonsense in Education	http://www.commonsenseineducation.org/about.html	CA
FNO Press in Bellingham, Washington	http://www.nochildleft.com/	National
Metro-Detroit Whole Schooling Consortium.	http://www.pipeline.com/%7ergibson/meap.html	MI
Arthur Hu's World	http://www.arthurhu.com/index/washtest.htm	WA
TAKS Boycott	http://taksboycott.blogspot.com/	TX

Note: State abbreviations are U.S. Postal Service abbreviations.

Table 5

Student Ethnicity by Percent of Enrollment for the States of California (CA),

Massachusetts (MA), New York (NY), South Carolina (SC), and Texas (TX)

State	Total Students reported[1]	American Indian/Alaska Native	Asian/Pacific Islander	Hispanic	Black non-Hispanic	White non-Hispanic
CA	6,108,071[1]	0.87%	11.2%	44.5%	8.4%	35%
MA	973,140	0.33%	4.5%	10.8%	8.6%	75.7%
NY	2,872,132	0.43%	6.2%	18.6%	19.9%	54.8%
SC	688,258[1]	0.24%	1%	2.4%	41.7%	54.7%
TX	4,163,447	0.31%	2.8%	41.7%	14.4%	40.9%

Notes: Percents may not total 100 because of rounding.

[1] Totals exclude students for whom race/ethnicity was not reported.

Source: NCES: Table 4. "Public school membership, by race/ethnicity and state:

School year 2001–02" (statistics converted to percents by author). Retrieved 2/12/06

from http://nces.ed.gov/pubs2003/snf_report03/table_04.asp

Table 6

Poverty Indicators in California (CA), Massachusetts (MA), New York (NY), South

Carolina (SC), and Texas (TX)

State	Per Capita Income[1]	Percent Unemployed in2005[2]	Percent Living in Poverty in 2005[3]
CA	$37,036	5.4	13.2
MA	44,289	4.8	9.7
NY	40,507	5.0	14.6
SC	28,352	6.8	13.8
TX	32,462	5.3	16.7

Notes:

[1]Retrieved 7/9/06 from http://www.infoplease.com/ipa/A0104652.html

[2]Retrieved 7/2/06 from http://www.infoplease.com/ipa/A0931330.html

[3]Retrieved 7/2/06 from http://www.infoplease.com/ipa/A0104529.html

Table 7

Year 2000 Dropout Rates in California (CA), Massachusetts (MA), New York (NY),

South Carolina (SC), and Texas (TX)

State	Dropout Rate
CA	10.1
MA	6.6
NY	8.8
SC	11.2
TX	12.5

Note: Based on the number of people ages 16-19 who are not enrolled in school. From

"School Enrollment: 2000." U. S. Census Bureau (2003). Retrieved 7/4/06 from

http://www.census.gov/prod/2003pubs/c2kbr-26.pdf)

Table 8

Governors' Party Affiliation and Support of Standards and Testing Issues for California (CA), Massachusetts (MA), New York (NY), South Carolina (SC), and Texas (TX)

State	Governor	Party Affiliation of Governor	Supports National Standards and Testing of Public School Students	Supports Mandated High School Exit Exams
CA	Arnold Schwarzenegger	Republican	*	*
MA	Willard Romney	Republican	*	*
NY	George Pataki	Republican	*	*
SC	Mark Sanford	Republican	Yes	Yes
TX	Perry	Republican	*	*

Notes: Based on governors who responded to the "National Political Awareness Test" as reported on http://www.vote-smart.org. * Chose not to respond to NPAT.

Table 9

Percent of Republican and Democrat State Legislators Indicating Support of Testing Issues in California, Massachusetts, New York, South Carolina, and Texas

California	*% of Republican Legislators Indicating Support (9 of 46 responded to NPAT)*	*% of Democratic Legislators Indicating Support (34 of 73 responded to NPAT)*	*% of all responding Legislators Indicating Support*	*Standards & Testing Issues Included in the National Political Awareness Test*
	56	26	33	Support national standards and testing of public school students.
	67	41	47	Require public schools to administer high school exit exams.

Massachusetts	*% of Republican Legislators Indicating Support (4 of 20 responded to NPAT)*	*% of Democratic Legislators Indicating Support (43 of 137 responded to NPAT)*	*% of all responding Legislators Indicating Support*	*Standard & testing Issues Included in the National Political Awareness Test*
	75	28	32	Support national standards and testing of public school students.
	75	19	23	Require public schools to administer high school exit exams.

(*table continues*)

Table 9 *(continued)*

	% of Republican Legislators Indicating Support (10 of 79 responded to NPAT)	*% of Democratic Legislators Indicating Support (39 of 133 responded to NPAT)*	*% of all responding Legislators Indicating Support*	*Standard & testing Issues Included in the National Political Awareness Test*
New York	60	36	41	Support national standards and testing of public school students.
	30	23	24	Require public schools to administer high school exit exams.

	% of Republican Legislators Indicating Support (26 of 100 responded to NPAT)	*% of Democratic Legislators Indicating Support (15 of 70 responded to NPAT)*	*% of all responding Legislators Indicating Support*	*Standards & Testing Issues Included in the National Political Awareness Test*
South Carolina	54	60	56	Support national standards and testing of public school students.
	73	73	73	Require public schools to administer high school exit exams.

(table continues)

Table 9 *(continued)*

Texas	*% of Republican Legislators Indicating Support (5 of 106 responded to NPAT)*	*% of Democratic Legislators Indicating Support (13 of 75 responded to NPAT)*	*% of all responding Legislators Indicating Support*	*Standards & Testing Issues Included in the National Political Awareness Test*
	60	54	56	Support national standards and testing of public school students.
	100	38	56	Require public schools to administer high school exit exams.

Note: Based on legislators who responded to the "National Political Awareness Test" as reported on http://www.vote -smart.org.

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