

No Child Left Behind in TEXAS

A Harbinger for the Rest of the Country?

TEXAS NCLB HEARING

George Washington Carver Museum & Cultural Center Theater • Austin
January 12, 2006 • 4:00–7:30 PM
Local hearing partner: Austin Voices for Children and Youth

PARTICIPATING ORGANIZATIONS

Houston A+ Challenge, Houston • Texas Business and Education Coalition, Austin • Citizens Commission on Education Excellence, Austin

HEARING OFFICERS

Tanny Berg, CEO, Jack Berg Sales, El Paso, TX • Ronald Cowell, President, Education Policy & Leadership Center, Harrisburg, PA • Roberto Gonzalez, CEO, Employment & Training Centers, Inc., Houston, TX • Ann F. Utley, CEO, Textorder.com, Austin, TX

STUDENT WITNESSES

Darius Brewer, Austin • Andy Peterson, Springwoods High School, Austin • William Luton, Houston • Rachel Perez, Southwest Texas Junior College, Eagle Pass • Eric Graves, Bellaire High School, Houston • Donovan Bozan • Manuel Lope, Cashmere Senior High School

PARENT WITNESSES

Cheryl Knockless, Austin • Diana Herrera, San Antonio • Linda Murray, Houston • Minerva Camarena Skeith, Austin • Lee Williams, (*no school given*) Austin • Jose Guerrero, Austin

COMMUNITY WITNESSES

Angela Valenzuela, Education Committee Chair, Texas League of United Latin American Citizens (LULAC), Irving • Luis Figueroa, Staff Attorney, Mexican American Legal Defense and Educational Fund (MALDEF), San Antonio • Anna Land, Vice President, Texas Afterschool Association, Austin • Ken Zornes, Deputy Executive Director, Texas Business & Education Coalition, Austin • Daveta Daniels, Principal, Hartsfield Elementary School, Houston • Ted Melina Rabb, Texas Federation of Teachers, Austin • R.C. Polk, Retired Teacher, Austin • Kay Perry, Houston Area Alliance of High School Educators, Houston • Carla Jones-Taylor, Instructor, Anderson Elementary School, Houston • Linda McKenna, Teacher, Austin • Ginger Harrison, Executive Director, Citizens Commission on Education Excellence, Corpus Christi • Benjamin Kramer, Assistant Principal, International High School, Austin

This is not a system that is working for our kids. It is not working for our teachers.

Austin, TX, PTA President

The Texas accountability system has turned sour, and angry witnesses revealed what happens when assessment policies do not align with the public's values and aspirations.

Texas is unique among the states in its long experience with using tests as a high-stakes strategy. This issue of high-stakes testing dominated a Texas hearing that gave students, parents, and community leaders – audiences very much affected by the law, but usually left out of the policy debate – an opportunity to tell their side of the NCLB story.

Testing & NCLB: A Student Perspective

Students from Texas researched NCLB and formed firm opinions about the effect of standardized testing in general and the Texas Assessment of Knowledge and Skills (TAKS) in particular.

The assumption that one test can determine what every student knows “tells me how really clueless some adults are about the individual needs of students,” testified high school student Andy Peterson, a student with a learning disability who was never told that he could be tested with accommodations. He is always the last student to finish a test, he said, and he is convinced that standardized testing can never assess students accurately because it does not consider the unique ways students learn.

William Luton, a student from Houston, noticed changes taking place at his school but was never told why these changes were happening. What he did observe was that TAKS, which is used to determine if schools meet adequate yearly progress (AYP) under NCLB, is poorly designed and disturbs the academic program. Students said they lost block scheduling and hands-on learning because of the state's testing program and they objected to being tested on discrete facts instead of broader knowledge. “You may not be able to remember the exact date the Constitution was signed,” remarked Luton, “but you should be able to explain why it was signed, and that's not on the test.”

Testing & Accountability: The Adult View

Adults were even more disturbed about test-based accountability and described dramatic differences in instruction over time. One parent with children out of college and a child in sixth grade said her younger child was far behind her older children at the same grade level because teachers no longer have time to teach content, only test skills. Lila Levinson, mother of a high school student and a sixth-grader, was even more pointed in her criticism: “When my oldest son was in the third grade, they

read *Little House on the Prairie*, and they had an interactive unit...It was a very rich and engaging curriculum. When my younger child reached third grade, they didn't read a single novel. Not only that, they didn't do any writing at all. Why? Because their total focus was on drilling for the test, worksheet after worksheet. My son stopped reading at home that year..."

Testing mandates, and NCLB's requirement that test scores of English-language learners (ELLs) be included when rating school performance, are having unintended consequences for the 700,000 ELL students in Texas. The pressure, according to Elena Izquierdo of the Texas Association for Bilingual Education, is causing districts "to implement very, very poor, hurry-up-and-learn-English classes."

Benjamin Kramer, assistant principal of International High School in Austin, said that lack of support and early testing in English were pushing immigrant students to drop out before graduating. Angela Valenzuela, chair of the education committee for the League of United Latin American Citizens (LULAC), said NCLB accountability does not allow for different rates of learning. The first step to making accountability fair, she said, "is to get rid of the bad effects of testing...It is unethical, it is invalid, and it is unprofessional to evaluate a student on...the basis of a single measure."

The differences between TAKS and NCLB also confuse parents, said MALDEF's Luis Figueroa, but more disturbing is the "manipulation" of data that leads to inaccurate information on dropout rates and testing students with disabilities. Ken Zornes of the Texas Business and Education Council called for measurements that include more than data on lowest-performing students. "That does not give you a true picture of the school," he said, and believes there is "absolutely too much confusion when it comes to rating schools."

Statistics	Total Schools ¹	% fail to make AYP	% schools in improvement	# LEAs	% LEAs fail to make AYP	% LEAs in improvement	Graduation rate ²	Per pupil expenditure ³
Texas 2003–04	7813	5.0%	1.2%	1227	6.7%	0.2%	81.2%	\$7,214
United States 2003–04	90237	24.7%	11.4%	13959	28.5%	12.8%	74.9%	\$8,308
Texas 2004–05	7020	11.6%	2.5%	1229	10.7%	1.1%	84.6%	\$7,142
United States 2004–05	89493	25.6%	12.9%	13878	23.7%	12.4%	Not avail.	\$8,618

NCLB and Teachers

NCLB requires all students to be taught by highly qualified teachers by 2006, a supply issue that is straining the capacity of teacher training institutions and leading to illogical situations. Student William Luton described his choral teacher as "one of the best I've ever had," but his parents received notification that she was unqualified because her certification was in religious music, not choral. "This letter confused all of us," he said. Others said the definitions of a highly qualified teacher do not address the need for teachers to be culturally competent.

More troubling to some witnesses, however, is how teachers are being forced to narrow their instruction. Ginger Harrison, executive director of Citizens for Educational Excellence in Corpus Christi, believes high-stakes testing is taking the life out of teaching. Some educators charged that reconstituting schools under NCLB was a ruse to get rid of "troublemakers" who were replaced by much less qualified teachers. An Austin PTA leader described why teachers are leaving: "People are being driven out of the system. Anyone with an ounce of creativity is being pummeled. The love of learning is being completely sucked out of our system. Tests should be helpful, they should not be punitive. I implore you to use the power of this forum to take this message to the policymakers."

Overall, NCLB had few defenders. But despite its flaws, education advocate Pat Herndon thinks the law has made "clear measurable advances in students' knowledge and skills."

The Texas hearing was one of nine held on NCLB across the country from September 2005 to January 2006. This excerpt was taken from the full Texas hearing report, which can be found on the PEN website, www.publiceducation.org, along with a national hearing report and eight other state reports.

Funding for the hearing was provided by the Houston Endowment Inc. and Philip Morris USA.

¹ Title I Report, Vol. 7 Iss. 4 (LRP Publications 2006). Data for columns 1-6 were taken from this report.

² Percentages take from Texas State Academic Excellence Indicator System (AEIS) report, available at: <http://www.tea.state.tx.us/perfreport/aeis/2005/state.html>.

³ National Education Association, *Rankings & Estimates Update (2005)*. Figures are computed from NEA Research, Estimates databank. The figures are based on reports through August 2005.