

House Committee on Education
Testimony on HB 2680, request for amendment
February 20, 2015
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My name is Kathryn Corson. I hold a PhD in Psychology and Measurement, and have spent over two decades researching, publishing and teaching about valid and reliable measurement and the ethics of testing and research. I was asked by parents involved in Portland SOS for my expert opinion regarding the Smarter Balanced Assessments. I am also the mother of a third grader who is expected to take a Smarter Balanced Assessment test this spring.

There is plenty of testimony already in place regarding the lack of testing to establish Smarter Balanced as a valid measure of age- and developmentally-appropriate learning and academic achievement. Nancy Golden has proposed (Recommendation 12) to suspend the use of SB as a measure of teacher or school ratings, but to use the tests as a measure of Essential Skills for graduation and “allow for comprehensive analysis of Smarter Balanced to determine the value in relation to student learning.” If HB 2680 is enacted to suspend assessments for teachers and schools, as it should, it must also extend such protection to our children.

First, Smarter Balanced cannot simultaneously be an invalid measure of teachers and schools and a valid measure of student skills. Nor can results be accepted as a measure of success (if a student passes, result is considered a true positive) but an invalid measure of failure (if a student fails, result is seen as a false negative). That is akin to describing a scale as accurate when it shows that one has lost weight, but not when it shows that pounds have been added. The measure works, or it does not. It needs more testing, or it is ready to go.

Second, and more importantly, HB 2680 is a proposal use students as research subjects without affording basic protections and rights. This is both unethical and unconscionable, and would exploit and expose to harm the children we have pledged to protect. HB 2680’s use of the Smarter Balanced Assessments, a longer and more difficult testing regimen, in fact increases the need for protections, as it:

- involves educational practices outside the norm
- has demonstrated potential to cause distress
- lacks anonymity for participants and confidentiality of results
- is conducted in part for the financial gain of an outside party, and
- involves members of vulnerable populations appropriately afforded special consideration: children, those with disabilities, and persons with limited English proficiency.

If students are to be used in this manner (the guinea pig analogy comes to mind), the following protections must be in place:

- I. Free and informed consent: each individual child and parent opts in, once the purpose, expected duration and procedures, and possible benefits and harms have been discussed in plain language, with a chance for parents to ask any questions. Moreover, it also includes the student's or parent's right to withdraw from participation at any point, without consequence. When teachers and staff cannot openly discuss the right to "opt out," much less provide the paperwork for doing so, it is clear that free and informed consent is being violated.

- II. An appropriate weighing (and explanation) of the potential harms and benefits TO THE INDIVIDUAL student. If there is a harm for potential (and there is testimony to evidence such harms), what safeguards are in place to ensure such harms do not continue? How will such instances be handled? Will parents be notified? Will children be excused? Will counseling be available?

- III. A designated contact person to answer questions from all stakeholders (administrators, teachers, parents and students), who maintains a record of such contacts and any reports of adverse effects and how they were handled.

If these protections are not in place, one must ask who or what is being cared for instead of our children. The time and reputation of adults who staff our schools? The for-profit corporations who will benefit from a system overhaul (and possibly the failure of public schools in general)? The legislatures and governors who originally signed endorsed the Common Core and Smarter Balanced? If our school system does not have our children's welfare and rights as their first priority, what is their first priority?

Thank you for your time.