

May 5, 2015

Dear Senate Education Committee,

I am writing in support of HB 2655A. The Student Assessment Bill of Rights provides parents important information regarding their children's education, including communicating who will have access to their children's assessment results.

I have been an educator for the past 20 years. I taught elementary grades and served as a Curriculum and Program specialist in an Oregon public school before teaching in George Fox University's School of Education. In 2006, after earning my PhD in Education, I was hired at Linfield College where I currently serve as an Associate Professor of Education and the Elementary Education Coordinator. In addition, I am a parent of two children (ages 11 & 13) attending McMinnville public schools.

I've read widely about testing, specifically the Smarter Balanced Assessment Consortium English language arts/literacy and mathematics assessments. I have also researched the testing services and vendors Oregon has contracted with for the SBAC during the 2014-2015 academic year. Attached is the synthesis of my research regarding the Smarter Balanced Assessment Consortium. My intent is to share this research to provide a clear picture why parents and students deserve The Student Assessment Bill of Rights.

I urge you to support HB 2655A.

Sincerely,
Mindy

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Background on Smarter Balanced Assessment Consortium

As of 2014-2015 students in grades 3-8 and high school (11th grade) will take a test called Smarter Balanced Assessment Consortium (SBAC) for English language arts/literacy and mathematics. Previously our children took the OAKS reading/literacy and mathematics tests. SBAC is one of two assessment consortiums in the United States.

In 2010, the US Department of Education awarded \$330,000,000 to two groups of states, the Smarter Balanced Assessment Consortium (SBAC) and the Partnership for Assessment of Readiness for College and Careers (PARCC) to develop assessments aligned with the Common Core State Standards to assess students' knowledge of mathematics and English language arts/literacy from third grade through high school. Oregon is a member of the SBAC.

Source: <http://www.smarterbalanced.org/resources-events/faqs/>

Concerns Regarding Smarter Balanced Assessment Consortium

1. Loss of instructional time. Children are missing significant instructional time due to Smarter Balanced Assessment Consortium testing. At the middle level, McMinnville schools blocked out a minimum of **six weeks** of instruction to administer the SBAC: **Three weeks** for the ELA/Literacy SBAC and **two weeks** for the Math SBAC and **one week** for the OAKS Science test (students that don't pass the OAKS Science will miss an additional week of instruction retaking the test). At the elementary level, SBAC estimates students will need four hours for the ELA/Literacy assessments and three hours for mathematics assessment. Based on reports from Oregon teachers, the practice SBAC has taken two to three times longer than estimated. In addition, Oregon fifth graders also take the OAKS Science test, and students that do not pass the first round of Science testing, take it a second time.

Diane Ravitch, Former US Department of Education Assistant Secretary and New York University education professor, stated recently, "Kids [and I'd add 8 year olds] are spending more time taking tests than people taking the bar exam."

Sources:

Oregon administrators, Portland Public & Tigard-Tualatin teachers

SBAC Preliminary Summative Blueprints Supporting Document, Estimated Testing Times for Smarter Balanced Summative Assessments, <http://www.smarterbalanced.org/resources-events/faqs/>

Strauss, Valerie. (2015, April 16). Why the debate between Diane Ravitch and Merryl Tisch was remarkable. The Washington Post. <http://www.washingtonpost.com/blogs/answer-sheet/wp/2015/04/16/why-the-debate-between-diane-ravitch-and-merryl-tisch-was-remarkable/>

2. SBAC has not been deemed operationally reliable or externally valid. The SBAC's (2014) Validity Overview Memo states the SBAC is not operationally reliable or externally valid. In addition, reliability and validity is also impacted by the people scoring the constructed response items (see item #3), the protocol SBAC followed to determine cut scores (see item #4), children's lack of keyboarding skills (see item #9), and technology malfunctions (see item #10).

Sources:

Smarter Balanced Assessment Consortium (2014, September 11). *Validity Overview Memo*.

3. SBAC is not scored by teachers. According to Doug Kosty (personal communication, April 24, 2015), Oregon Department of Education Assistant Superintendent in the Office of Learning, Instruction, Standards, Assessment & Accountability, Oregon contracted SBAC with the test vendor American Institutes for Research (AIR), which subcontracted with a company called Data Recognition Corporation (DRC) to manage scoring of constructed responses. DRC pays \$13/hour with the only qualification being a bachelor degree in any subject. Doug Kosty confirmed that SBAC will not be assessed by teachers in an email to a concerned parent:

ODE agrees with you that, ideally, scoring of the Smarter Balanced assessments will be done by Oregon educators similar to how we have scored the state Writing assessment in past years. Engaging Oregon educators in the scoring process provides rich professional development for teachers and serves as an opportunity for teachers to deepen their understanding of the content standards. Given all the logistics involved in getting this first operational year of the Smarter Balanced assessments up and running, however, it was not feasible to adopt this scoring model for these first years. Moving forward as indicated at Tuesday night's event, ODE will continue to pursue options to include Oregon educators in scoring the Smarter Balanced assessments in future years.

There are concerns of the validity and reliability of the SBAC test results in light of accounts by people that work in the scoring service industry. Jessica Lussenhop (2011), highlights the experiences of Dan DiMaggio and Todd Farley, author of *Making the Grades: My Misadventures in the Standardized Testing Industry*, in her post, *Inside the multimillion-dollar essay-scoring business: Behind the scenes of standardized testing*.

Sources:

<http://oregonsaveourschools.blogspot.com/2015/03/outsourcing-sbac-scoring.html>

Lussenhop, Jessica. (2011, February 23). *Inside the multimillion-dollar essay-scoring business: Behind the scenes of standardized testing*. *Citypages*. <http://www.citypages.com/2011-02-23/news/inside-the-multimillion-dollar-essay-scoring-business/full/>

4. Passing scores were determined in an unprecedented manner. SBAC cut scores were determined from field-test data (practice tests taken by children in 2013-2014). One state education department psychometrician commented, "It's really bizarre to set cut scores based on field-test data. You can't possibly project accurately what proportions of students will score at the four levels of the test. He and other assessment experts said that field-test data are not good predictors of performance on the operational test because students are unfamiliar with the test, and often, teachers have had less experience teaching the material that's being tested" (Gewertz, 2014).

Source: Gewertz, Catherine. (2014, November 17). *Cutoff Scores Set for Common Core Tests*. *Education Week* 34(13). <http://www.edweek.org/ew/articles/2014/11/17/13sbac.h34.html#>

5. SBAC achievement levels will create data that will appear as if Oregon students and schools are failing. SBAC achievement levels indicate the majority of Oregon students will not show proficiency on the assessment. This will subsequently create “data” that will make it look as if our teachers, schools, districts and state are failing when in fact it is the test that has not proven to be a valid measure of students’ knowledge of common core standards. Below are the projected pass rates for students on SBAC (Gewertz, 2014):

High School (11th grade): 41% English language arts/literacy and 33% in mathematics

Elementary & Middle School: 38-44% English language arts/literacy and 32-39% in mathematics

Source: Gewertz, Catherine. (2014, November 17). Cutoff Scores Set for Common Core Tests. *Education Week*, 34(13). <http://www.edweek.org/ew/articles/2014/11/17/13sbac.h34.html#>

6. SBAC achievement levels do not equate to expectations for “on-grade” performance. It is important to emphasize the Smarter Balanced Assessment Consortium’s view of the usefulness of the SBAC scores to schools, administrators, teachers, families, and students. The following excerpt from SBAC’s (2014) document, *Interpretation and Use of Scores and Achievement Levels* indicates the limited usefulness of its data. It states,

“...characterizing a student’s achievement solely in terms of falling in one of four categories is an oversimplification. Achievement levels should serve only as a starting point for discussion about the performance of students and of groups of students....Achievement level descriptors do not equate directly to expectations for ‘on-grade’ performance; rather they represent differing levels of performance for students within a grade level....Furthermore, there is not a critical shift in student knowledge or understanding that occurs at a single cut score point (emphasis added).”

Source: Smarter Balanced Assessment Consortium. (2014, November 14). *Interpretation and Use of Scores and Achievement Levels*. <http://www.smarterbalanced.org/achievement-levels/>

7. Increased cost of the SBAC. SBAC costs approximately \$10 more per child than Oregon’s previous OAKS assessment (personal communication, April 24, 2015). This does not account for the costs districts have incurred purchasing new computers, upgrading current computers, bandwidth to support the computer-based SBAC. Below is a more detailed account of the differences in costs from OAKS to SBAC from Doug Kosty, Oregon Department of Education Assistant Superintendent in the Office of Learning, Instruction, Standards, Assessment & Accountability (Personal communication April 24, 2015):

OAKS historically included math and reading in 3-8 and HS, English language proficiency for English learners in grades K-12, writing in HS as well as Social

Science and Science once each in EL, MS and HS. OAKS math and reading could be taken up to three times per year. SBAC includes human scored performance tasks in math and English language arts at each grade level. With that bit of context, what I can tell you is that SBAC costs which include SBAC membership fees and test administration/scoring is approximately \$3.2 m per year for approximately 320k students or roughly \$10 per student more than OAKS but now we have performance tasks at every grade level in both math and ELA. Historically OAKS reading and math cost about \$12 per student and writing was offered only to seniors last year and that cost was approximately \$10/student.

The break down of SBAC costs for 2014-2015 were approximately \$8,000,000 for AIR contracts, approximately \$2,000,000 for SBAC fees and \$2,000,000 distributed to districts to purchase formative and interim resources.

8. Profits made by testing vendors and testing services contracted through SBAC (Ravitch, 2013; Simon, 2015; Smarter Balanced Assessment Consortium, 2012). Although SBAC is currently a state-led consortium, each state contracts out with testing vendors and testing services (e.g., companies that score tests). As stated previously, Oregon contracted with test vendor American Institutes for Research (AIR) that subcontracted with a company called Data Recognition Corporation (DRC) to manage scoring of constructed responses (Personal communication with Doug Kosty, April 24, 2015).

Sources:

Ravitch, Diane. (2013). *Reign of Error: The hoax of the privatization movement and the danger to America's public school*. New York, NY: Knopf.

Simon, Stephanie. (2015, February 10). No profit left behind: In the high-stakes world of American education, Pearson makes money even when its results don't measure up. *Politico*. http://www.politico.com/story/2015/02/pearson-education-115026.html?hp=r1_3

Smarter Balanced Assessment Consortium (2012, January 31). Smarter Balanced and PARCC to Launch New Technology Readiness Tool to Support Transition to Online Assessments: Pearson to Develop and Support Open Source Tool for Evaluating School Technology and Infrastructure Readiness.

<http://www.smarterbalanced.org/news/smarter-balanced-and-parcc-to-launch-new-technology-readiness-tool-to-support-transition-to-online-assessments/>

Strauss, Valerie. (2015, April 14). Congratulations to me. I have been offered a position as a professional scorer by Pearson. *The Washington Post*. www.washingtonpost.com/blogs/answer-sheet/wp/2015/04/14/congratulations-to-me-i-have-been-offered-a-position-as-a-professional-scorer-by-pearson/

9. Children's lack of keyboarding skills impacting their ability to convey their knowledge. The concern with students' keyboarding skills was highlighted in the Smarter Balanced field test report (Smarter Balanced, 2014).

Source: Smarter Balanced Assessment Consortium (2015, October). *Smarter Balanced 'Tests of the Test' Successful: Field Test Provide Clear Path Forward*.

10. Technology security breaches and server crashes. There have been recent security breaches with testing companies, such as the recent “malicious denial-of-service attack” in Minnesota that led to a shutdown of the state’s student testing system (Minnesota Public Radio, April 22, 2015). In addition there have been technology-related issues with testing companies subcontracted for the SBAC such as the server crashes in Montana, (Ujifusa, April 15, 2015), Nevada (Cavanagh, April 22, 2015), and Florida (Cavanagh, April 20, 2015). Bob Schaeffer of Fairtest has kept track of computerized testing systems problems. As of April 23, seven states have had technology failures related to common core-related assessments (fairtest.org, 2015).

Sources:

Cavanagh, Sean. (2015, April 20). American Institutes for Research Apologies for Latest Testing Problems in Florida. *Education Week*.

http://blogs.edweek.org/edweek/marketplacek12/2015/04/american_institutes_for_research_apologies_for_latest_testing_problems_in_florida.html

Cavanagh, Sean. (2015, April 22, 2015). Nevada Claims Smarter Balanced Measured Progress in Breach of Contract. *Education Week*.

blogs.edweek.org/edweek/marketplacek12/2015/04/nevada_claims_smarter_balanced_measured_progress_in_breach_of_contract.html?r=836687230&cmp=ENL-EU-NEWS2-RM&preview=1

Fairtest.org. *Computerized testing problems 2013-2015*. <http://fairtest.org/computerized-testing-problems-2013-2015>

Minnesota Public Radio. (2015, April 22). Student Testing Troubles.

<http://www.mprnews.org/story/2015/04/22/student-testing-troubles>

Ujifusa, Andrew. (2015, April 15). Montana Let’s Schools Cancel Smarter Balanced Testing After Technical Woes. *Education Week*.

http://blogs.edweek.org/edweek/state_edwatch/2015/04/montana_lets_schools_cancel_smarter_balanced_testing_after_technical_woes.htm