

Is the Oregon Department of Education a state agency that is not accountable to anyone?

House Bill 2655 was intended to improve transparency, including clarifying and expanding the legal right to opt-out. It now appears that the Oregon Department of Education (ODE) is turning HB 2655 on its head.

HB 2655 directs the ODE to explain the “purpose and value” of the tests and to provide specific information to parents about the tests within 30 days of giving them. In early November, the ODE released its testing information form, as directed by this new law. The first page, (“Notice for Statewide Tests”), contains justifications for these tests. This is allowable as an explanation of the “purpose and value” of the tests as specified by HB 2655.

However, the second page, (“Opt-Out Form”), is a travesty. Above the parent signature line for opting-out, the ODE gratuitously added the provision: *“I understand that by signing this form I may lose valuable information about how well my child is progressing in English Language Arts and Math. In addition, opting out may impact my school and district’s efforts to equitably distribute resources and support student learning.”* So much for objectively notifying parents of their legitimate right to opt-out of these contentious tests.

The ODE’s attempt to force parents to agree with this loaded statement, designed to intimidate and guilt-trip, is an overreach of its authority and is counter to the intentions of HB 2655: To give parents a fair chance to oppose these tests without active or passive obstruction by school district administrators.

ODE officials seem to have become blinded by their true believer advocacy for these deeply flawed tests, which provide neither timely (the results aren’t available until August), nor accurate information about student progress. Numerous studies have shown these tests to be highly unreliable indicators of how well an individual teacher or school is doing their job. What we do know is this: These tests are excellent indicators of a student’s access to resources. Students from stable families, with access to tutors, travel and other educational opportunities score consistently higher than students who don’t have access to those resources. This has been true for decades.

The fact is that the high-stakes standardized testing ship is continuing to take on water. Last month, California lawmakers did away with their high-stakes high school exit exams -- and will award 30,000 diplomas to students whose graduation certificates were unjustly withheld. Six other states recently stopped giving these exit tests, and a number have also issued retroactive diplomas. Only 20 states still mandate these tests. Why does Oregon still cling to this failed high-stakes practice?

Only 22 states in the U.S. are now using the Smarter Balanced or PARCC tests, which are aligned with the Common Core. In addition, The Wall Street Journal recently reported that only 25 states are now using the Common Core standards as originally agreed upon; 14 states are now revising it; 4 states have revised it; 3 states have repealed it, and 4 states never adopted it. National Common Core and national common assessment? Not even close.

Regardless of its opinion about these tests, the ODE must be held accountable to carry out the spirit and the letter of HB 2655, the “Student Assessment Bill of Rights”. The ODE should remove entirely the two deeply biased sentences that parents are being forced to agree with in order to exercise their opt-out legal rights.

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