

**Public Hearing  
Regents Learning Standards  
and High School Graduation Requirements**

**NY State Standing Committee on Education  
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I speak here today as a teacher, as director of the Center for Inquiry—a teacher center affiliated with the New York Performance Standards Consortium, as a writer and as the editor of two successful anthologies of teenagers’ writing, *Active Voices* and *Hispanic, Female and Young*.

I will focus my remarks on four areas that ought to be of great concern to legislators:

- Government intervention in the classroom
- The use of “voodoo psychometrics”
- The negative effect of the Regents policy on teachers’ professionalism
- The use of alternative assessments

Government intervention in the classroom

I am alarmed and angered by what is now apparent in the schools of our city and state. The long arm of the government has extended from Albany into each and every classroom, intervening in the critical relationship developed between a teacher and a student. For the first time in New York’s history, government policy now has the power to totally negate a child’s history as a student and a teacher’s in-depth evaluation of a child’s progress. High stakes examinations, forces outside the control of both teacher and student, determine one of the most important decisions in a child’s, indeed, a family’s, life: who will graduate and who will not. This decision has been wrested from the people who know the students best and invested in a faceless and arbitrary testing bureaucracy.

Consider this: what single test can compare to the combined wisdom of a teacher, parent, and principal concerning a student’s level of achievement? A teacher’s judgment is based on familiarity with the most telling details of students’ work *over time* as well as essential knowledge of the students themselves *over time*. How can anyone justify subsuming that knowledge to the use of a single test score, particularly norm-referenced tests specifically designed to have a high percentage of student failure?

One of the first goals of a good teacher is to establish trust in the classroom. In fact, one of the reasons that small schools are now favored by school systems is precisely because their smallness allows trust to flourish. It must flourish in each classroom since serious academic endeavors challenge students’ long held ideas and opinions, introduce new options, permit insight into how other people may approach problem solving, or literary interpretations, or historical analysis. In fact, the students for whom that trust is most essential are the very students most in danger of failing or dropping out of school.

The government shatters that trust when it permits a test to be the final arbiter of a student’s worthiness. To students’ perception, the whole thing is a set-up. Here is the teacher working hard to engage them in learning, challenging them to think, to pursue variant points of view, to

tackle the reading of difficult texts, to overcome all kinds of phobias about writing, and to what avail, when a single test that appears from nowhere can negate all four years of work and growth.

### The use of “voodoo psychometrics”

Despite its insistence on psychometric orthodoxy, the state has faced one psychometric embarrassment after another with its flawed and unfair grading system for Regents exams.

Teachers knew a long time ago about the inherent flaws of the exams. The Regents produce false positives and false negatives. For that reason, the exams are worthless as diagnostic tools and delusional as arbiters of graduation. Let me give you a few examples. Laura passed the English Regents with the highest score in her graduating class, and yet all her teachers knew her to be an immature student who could rally for the three-hour sessions that the test demanded but who had difficulty sustaining a longer focus on her writing or her studies. Although her teachers wanted her to spend another term in high school to better prepare her for the rigors of college, she rejected their advice. Armed with her high Regents score, she considered herself ready. She went to college in the fall and was back home before the mid-semester break, just as her teachers had predicted. Another student in her class, Orlando, squeaked by with a 55 on the ELA. And yet his teachers knew him to be an enthusiastic student—someone who thrived on intense classroom discussions on literature and history, someone who loved the arts and, deservedly, had received a full scholarship to Oberlin College. Suppose he had scored but one point less. What would we have told Oberlin? That their admissions staff must have been blind, that the teachers who wrote his recommendations were inept? That only the ELA exam could judge his worth and promise?

I’ve seen students, like Anita, who are brilliant writers but collapse in tears during the exams, not only from the pressures but from the inanity of the questions! This may seem counterintuitive, but to Anita, the need to write a formulaic response to insipid essay questions was more than she could bear! To her, it meant assuming a false voice, something that simply contradicts all that is basic to good writing. On the other hand, I have seen students like Tanisha who, despite severe learning disabilities, suddenly produced grammatically correct essays with zero spelling errors. But the very next day Tanisha wasn’t able to write a decent thank you for graduation gifts she had received. She went on to college, but was in need of one-on-one tutoring for her disabilities throughout her college years. Was the Regents a “valid and reliable” assessment of her abilities? Or her teachers, who knew her well enough to help arrange the extra help she would need in college?

Good students can score way below their own achievement level; poor students, in that three-hour dash to graduation, may score higher than their actual ability. The exams are flawed instruments and should never be empowered as the sole determinant of a student’s graduation.

### The negative effect of the present policy on teachers’ professionalism

Teachers suffer under the present system as well as students. Some ten thousand teachers left the school system this year, far more than last year. Older experienced teachers leave as soon as they can; the system cannot hold on to them. Another ten thousand were hired this year, but how long will they last?

Since excessive testing and high stakes exams were introduced, I feel like the Dutch boy at the dykes, as I try to hold back the flood of teachers wanting to leave. As a born and bred New Yorker, I’ve had a deep and abiding commitment to the public schools and students of NY and

feel aggrieved each time I hear of another talented teacher packing up and leaving. When the best and the brightest enter teaching, they do so not because they are lured by standardized testing but because they are excited about learning. They are excited about helping others to learn. They love their subject matter, they love spending their days with teenagers or young children in the pursuit of knowledge. But when curricula are dominated by test preparation, when principals put all kinds of pressures on their teachers to conform to a limited curriculum geared to the Regents exams, the best and the brightest go. We have now reached the point where instead of curriculum leading to assessment, the assessments—the exams—are determining curriculum.

High-stakes tests devalue high quality education. They're too rigid. They reward short-term goals, rote learning, and formulaic writing. Schools are pressured into budgeting time and money for test prep and must eliminate opportunities in the arts, theater, foreign language study. In contrast, high quality assessments encourage students to set long-range goals, learn persistence and time management, and practice reflection and revision—skills that not only further education but also lead to life-long learning and career success.

#### The use of alternative assessments

Just as alternative sources of energy are available but not supported, alternative methods of assessment exist; they just haven't been nurtured by the state. Instead, with the growing anxiety connected with the current Regents policy of high stakes exams, private companies like Kaplan have benefited. Schools and districts hire them to train teachers in techniques for training students for the exams. Publishing companies, too, have gone into mass production of test prep books and materials. All these measures, designed to outsmart the tests and raise scores, are devouring budgets, with less money available for thoughtful professional development—the key factor in raising standards.

Other options for assessment are available and have been for some time. For example, the Consortium schools, at the request of the former Commissioner of Education, developed a comprehensive system based on performance assessment. The Regents are strictly pen and paper tests. They cannot reflect the natural complexity of the learning process and of individual learners. But a performance assessment system requires students to demonstrate what they know through multiple means: not only do students write analytic papers in literature and research papers in social studies, design and carry out original and lengthy science experiments, and apply high level mathematical concepts to problem-solving projects, they must also develop portfolios in the creative arts and defend their knowledge in the academic disciplines before panels of external experts. The system builds on the life of the classroom—engaged students are a prerequisite for its success, as is the continued professional development of the teachers, who are deeply invested in developing the content and methodologies of the assessments. It's a process that occurs *over time* and requires that the teachers have a deep understanding of their subject areas and of their students.

We need a time out from testing and the breathing room to evaluate what has occurred in our classrooms, what our options are for change, what systems have proven to be more successful than the high stakes system currently in use, and what is the best way to ensure that our finances are going into teaching and learning and not merely squandered on test prep and drill.