

The following firsthand accounts of TAKS pull-out were provided from instructors across Texas.

- When teaching junior high, students would be pulled from my choir class at different times of the year: October, November, and January. My 7th graders are first-year choir students. This especially hurt the boys' choirs because sometimes the MOST talented musicians were pulled—not for failing their academic class—but for doing poorly on a mock exam. When they pulled students in January, it was especially hurtful to the rest of the choir because our contest was before spring break in March. Then *all* TAKS pull-out students were put *back* into choir in late April—just before TAKS *and* two weeks before our spring concert. These students had lost a *huge* portion of the training. They often became frustrated and quit because they did not advance to upper choirs because their skills were behind. In addition, it was particularly difficult dealing with the behavior of returning students who were behind and not on board because they had been in a different class for most of the year.

- Some of my elementary music students are pulled around October/November and have their schedule changed to Plato (as tutorials), then given back to me in March (after they have passed their TAKS test)—which means they have missed 5 months of instruction.

- Certain kids are absent from class on average of three times weekly and I was told that I could NOT require the student to come in for extra help on music that they clearly did not know. I specifically asked about giving a student a grade in my class and the response was “you cannot penalize the student,” which meant give them the grade without their earning it.

- At one of our middle schools, a band program of 225 kids as of the end of February 2009 had kids pulled from band for TAKS tutorials 793 times.

- All classes in a middle school in our district had to focus on TAKS materials for the two weeks prior to the test. All teachers were divided into math, reading, social studies, etc. sessions and given a curriculum to teach. Band directors had to teach math, choir directors taught social studies, etc. to random students for two weeks. A new schedule was created and no electives, P.E., or non-TAKS subjects were taught for those two weeks. This happened twice in the spring semester. Teachers felt inadequate and unprepared to teach material that was unfamiliar to them in addition to losing four weeks of teaching in their subject area. Our band didn't compete in their UIL Concert and Sightreading Contest because there were not enough students for the right instrumentation. This was because of all the pull-outs.

- All the elective teachers had to teach math during their music classes and had to give the students band or choir grades.

- At the beginning of this school year I lost approximately 30% of my seventh grade band members to TAKS math re-

mediation. My school is in a lower socio-economic area, where parent support suffers for various reasons, and student success is affected. Many of those students who were removed from my class needed band as it's the one place that they felt successful and accepted during the school day. Mine was often one of the few passing grades they received, and I was often the one teacher who could go into ARDs and parent conferences and say positive things about the students' participation and progress. We have all read the statistics about how participation in music activities aids in math comprehension. We know how important it is for students to be involved in activities in middle school and high school in order for them to stay out of trouble and finish school—especially in lower socioeconomic areas. Children in my school are being punished for their struggle in another classroom by being stripped of these opportunities to succeed in mine.

- I am a middle school art teacher. I have approximately 25–35 percent of every class in pull-out TAKS tutorials. My students are in pull-outs 2 to 4 days a week. They are not required to make up work, as that would be a “penalty” to them. The students who miss 4 days per week don't meet any of the required state standards for my class. Were they to be evaluated based on what they learn when they are here they would meet only 20% or less of the state and national expectations.

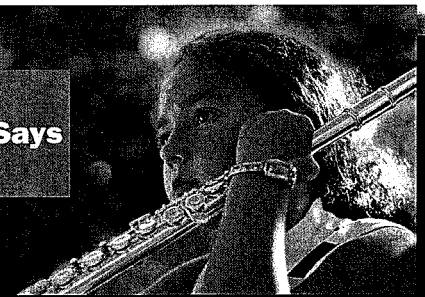
- The choir couldn't participate in their UIL contest this year because the students enrolled were not in class enough of the time due to TAKS pull-outs.

- Students are being pulled out during the day and forced to go to TAKS tutorials after school. When can our music teachers teach?

What the Law Says

Objective 4 of the Texas Education Code (TEC) states:

A well-balanced and appropriate curriculum will be provided to all students. Chapter 28 of the TEC states, “Each district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs.” Fine Arts courses are a part of the Enrichment Curriculum, a component of the Required Curriculum.



- One of our middle schools has a TAKS pull-out program that requires students who fail benchmark exams to be pulled from their elective courses until they pass the next benchmark exam. This means that band members could be in class for six weeks, gone for six weeks, and then back just in time for a concert without having learned any of the music or opportunity to play their instrument.

- Some students in my middle school are pulled from their elective classes three days a week to go to TAKS tutorials (between 6–9 students per class). If they are struggling in more than one subject, they are also pulled from their P.E./athletics class as well. They are required to go to tutorials until they take the next benchmark test. We have choir students trying to prepare for UIL contest while being out of class several days a week sometimes for several weeks at a time.

- I have classes where there are only one or two children with consistent absences and other classes where I haven't seen half the class in the past nine weeks. Now I'm left with a quandary: do I give them *I*'s for incomplete even though it isn't their fault they haven't come to music, do I give them *S*'s even though they have no work to support it, and then what do I do when they come back to my class, are several units behind and can't read a mi-re-do pattern even though we covered it weeks ago and it is a simple task for kids who have been in attendance?

- In our district one of the schools had an enrollment of 136 band students three years ago but with the addition of a required reading class, the enrollment currently is 24 students in band. Students who are not "commended" are now being placed in TAKS remediation classes which is the only "elective" allowed.

- In our district we have very talented students who are pulled from fine arts classes for TAKS remediation labs. Many times this takes away their elective choice altogether. Some are placed in these TAKS lab classes for the entire year and some are there for the 6 weeks prior to TAKS. Some of these students are required to take two different TAKS labs. Many of these students do pass TAKS but the perception is that their score is not high enough, they are not meeting their potential, or they are part of a subgroup that needs to show greater gains in their scores.

- One student was pulled out of band every time there was a benchmark test, and because he didn't meet the expected standard (which was above the state requirement) he couldn't participate in Solo and Ensemble because he wasn't prepared.

- The impact of the remediation classes is as follows on just basic fine arts classes. This even though our district has increased about 3,000 students but they are not being allowed or counseled out of fine arts:

<i>Subject</i>	<i>2006–07</i>	<i>2008–09</i>
Band	3323	2562
Choir	2410	1561
Orchestra	1536	1042
Art	4878	3262
Theater	3247	2223

- We had an elementary student who moved into the district from out of state that was way behind. He was pulled from music class in October after benchmark testing and will not go back to music class because of TAKS remediation until the end of April and yet the music specialist was still requested to give grades.

- Students from an Academically Unacceptable intermediate school were pulled from sixth grade electives every other week for entire week (including P.E.). Parent complaints finally resulted in relief. Band and orchestra parents were upset that *they* were financially committed to the programs but the school wasn't.

- Our campus will begin AMI tutoring at the end of this week. Due to this, 13 fifth grade students will not be allowed to have specials or P.E. from now until the end of April/TAKS and 12 fourth graders will be 15 minutes late everyday. All of this is in addition to the already 20 or so students who are completely denied specials and P.E. because of Fast Forward. Needless to say I've talked until I am blue in the face. I fight every day to teach quality, valuable, cross-curricular lessons in an environment where the message sent to students is that Fine Arts has nothing valuable to teach. HELP!

- Pull-outs have been very detrimental to my program because pull-outs at my school occur three times a week. This year my beginning classes have been affected the most—only receiving 100 minutes of the 250 minute instruction week. Pull-outs are very toxic to electives and even cause the student to value the electives less because they don't do any work in your class for 3 days and they don't have to make it up.

- Last year, two weeks prior to our scheduled performance at UIL Concert and Sightreading Competition, there was an imposed campus-wide moratorium on all off-school activities to study and make the big push towards the TAKS test. This included band, regardless of the fact we had been preparing for months. It seems especially egregious, given that 100% of my students passed all parts of the TAKS test. The campus wide pass/fail rate on the TAKS is less than 20%, band is 100%.

- It's hard enough for me to give an authentic assessment for a class that has missed 3 of the last 5 weeks, without having to deal with nearly a third of them being held back by their teacher. I hate to give them a phony grade for not being here, but I also don't think that they should have to be accountable for not being able to come to my class. Please give me some advice. My administrator, and personal assessor, knows that I am concerned.

- I miss certain kids on an average of three times weekly in the spring and was told that I could NOT penalize the student or make the student come in for extra help on music that they clearly did not know. I specifically asked about giving a student a grade in my class and the response was "you cannot penalize the student," which meant give them the grade without earning it.

- In our school, elementary students are routinely pulled from music and art, not just for TAKS remediation, but also for missed homework. Last year I was asked to give two children grades even though I had documentation that these students did not attend music classes for 6 of the 9 weeks. I refused, and documented on the report card that they had missed class and gave no grade. This caused a LOT of anger from my superiors. I have argued at length for the past 6 years that is NOT an option by law!

- The lowest children who need our classes are the ones who are kept out for TAKS remediation and missed homework. This especially applies to the bilingual student.

- It seems to me that what is happening is NOT legal. I have students who are being pulled out every day and possibly may come to art 2–5 days during the 6-week period. Surely this practice is not in the best interest of the students. It is not

fair to the student to be enrolled in art and have his/her TAKS Remediation grade take the place of art grades. Several parents are aware of this and are not happy.

- A choir teacher told me they had to drop a group going to UIL contest because students were being pulled so often.

- A band director has indicated that some beginners are quitting band due to being pulled so much. They are losing their confidence and are getting so far behind the rest of the class, they are just dropping band.

- Three years ago our 6th grade beginner band students were pulled from band class. I was told that no teacher should pull those kids, yet 40% of our beginners were pulled consistently throughout the school year. Obviously, this problem caused massive learning problems in our class at that time and those students are now my freshmen in high school and we are still remediating them. I fear some of them will continue to be behind through the next few years. I think one thing the legislature must understand is that pulling any student from any subject is a short-term solution that creates much longer term problems. Because of the TAKS testing system, it becomes painfully obvious that some care only about the immediate short-term learning and coaching on passing the test. This is the biggest disagreement between “big picture” teachers and those who are only worried about immediate test results. As music educators, sponsors, directors, coaches, etc., we have a vested interest in the success of our students at every level. We know and respect that the lower levels of instruction lead directly and have a direct impact that affects us at the higher levels.

- I had six students pulled out of my first period class (beginner woodwinds) MWF from Jan 19–March 6. I currently have seven students pulled out of my first period class MWF from March 23–April 24. Three of these kids were also in the first group of six that was pulled out. So they will basically have 29 days of band over four months. At first, I tried to teach new material only on Tuesdays and Thursdays, but the whole class started to get behind. So, I would just teach new material and the kids that missed would have to get the information on the review. Right now, I have two kids being pulled out of Symphonic Band 2 weeks before contest. The worst part about that is they are the only persons on their instruments, tenor sax and baritone. When they aren't there, their part isn't being played. My co-worker has seven students being pulled out of Concert Band 2 weeks before contest. His band only has 30 people, so that's 25% being pulled out.

- The students who have pull-outs in my school are also usually in at least one elective geared toward the course in which they are in danger of not passing TAKS. This same student has 4 core classes (each 90 minutes), 1 core/TAKS elective (45 minutes) and then pullouts instead of their 2nd elective. So, a student who struggles in math may have math for over 3 hours a day 4 out of 5 school days! This is terrifying since these tutorials are not new strategies or co-curricular ways of teaching math (etc.) but the same old rote learning. The likelihood that these students will excel is slim.

- We have students being pulled from the varsity band class in junior high for TAKS remediation. Some have been pulled from band and choir classes for days and weeks at a time. This has been done with absolutely no regard for what it will do to the ensemble and have said, “Well, after all it is just band and not TAKS, and until you start testing band, TAKS takes priority.”

- One of my 4th grade music classes was cancelled each week so I could tutor a small group of 4th grade students for TAKS.

- We have a class called “EPIC” that students are automatically placed in if they are failing a course or are in major jeopardy of failing the TAKS. We had eight students fall into this category after winter break this year and were automatically pulled from the program. In addition, some students were placed in this class WITHOUT parental notification. In addition, we do have students pulled for tutoring for TAKS after they have failed the first test. Our students pulled out for GROUP MEDIATION, TAKS TUTORING, EPIC, you name it.

- I have had middle school choir students pulled completely from my class for 6 weeks for TAKS intervention. I was never notified. They just disappear from my on-line attendance.

- I have students who are pulled for a 6-week period before a specific TAKS test 3 days a week. The students cannot be penalized or have any privileges denied them.

- I had a sixth grade girl that needed remediation. At first she was pulled Monday, Wednesday and Friday for help. I went to the teacher that pulled her out and asked how long this was going to last. Her response was 6 weeks. I asked if there was any way to shorten that and she said if they could see her every day then it would only be 2 to 3 weeks. I said that was fine since it was shorter. Well, 2 to 3 turned into 6 to 8 weeks. The student eventually had to drop my class because she wasn't there to get the material and could not be assessed on it.

- We had ten 6th grade students who were pulled completely out of band at the beginning of the semester because they needed a TAKS tutorial class. They could not be pulled from their P.E. class due to the new daily requirement. They will now miss this opportunity in their lives and we will miss out on their talents.

- We have come across a situation this year with the “Just in Time” program. This program is for students who have either failed a class or are in danger of failing a class for the semester. The students are being pulled from band class every other day. There has been no communication from the sponsor of the JIT program. The students have just come to me and told me that they'll no longer be in band class on either A or B days. This has caused a significant number of problems within the last 2 months that this program has been used. Kids are getting behind on their music and they miss a ton of information not only on becoming a better musician, but also the logistics of rehearsals, performances, etc.

- When the music room was the stage, all my afternoon classes were cancelled so the cafeteria could be used to tutor the entire 4th grade for TAKS writing. I was one of the tutoring teachers.

- There are four fourth grade teachers on our campus who rarely send their students to music. Mine is the only rotation class to which they are not sent. I have seen some of these students only twice this year. At the beginning of the year I was asked to give them a grade anyway; however, that has since changed. The kids have no idea what they're doing and are not able to grasp the second-grade-level lessons I use in place of the fourth grade lessons. In an effort to correct the problem, I've met with the administrators, the team leader, and teachers. Each time I have been assured the issue will be corrected, but it has not changed. How sad for the students.

- I work at an exemplary-rated school. It is common opinion that the school has reached and maintained this rating due to the extensive tutoring required for all students. Tutoring during

regular school hours is taking place not just for struggling students, but for every sixth grade student, so there will be a high percentage of commendable. ALL sixth graders are in at least one day of in-school tutoring. Many students are in tutoring four to five days a week, which would result in approximately 12 1/2 hours of math class per week. Out of our 35-student band class, we are seeing about 10 a day on average.

- Fifth grade students are pulled for TAKS tutoring (the students who need extra help). As the first class of the day, I have already taught the lesson by the time the late students show up. The students who are pulled for TAKS may miss the first lesson to get them started on a project, or being pulled may make them late getting their work done (which usually means that it will not get done because we are starting another project).

- My experience with pull-outs involves students only being able to attend orchestra two days per week instead of the five days that it states on their schedule. With an attendance record like that (40%—would an academic teacher ever be expected to produce successful students when they only get to see them 40% of the time?) they have no chance of success when we participate in the UIL Concert & Sightreading contest. These students are being pulled from a rather mathematically intensive subject involving critical thinking, and creative problem solving in which students use measurements both in the form of subdivision of note values, but also physical measurements with the distance between fingers to accurately estimate the proper placement to produce the desired half or whole step interval. I am also not allowed to grade these students for any missed work due to being pulled out. This is a huge problem for a subject that requires hands-on practice with much support from the trained professional musician/teacher. They cannot simply read an article, answer questions, and think that they have learned how to play a musical instrument.

- One day in mid April, 60 students who had previously been taken out of over-crowded music classes and rescheduled for tutoring, magically showed back up in music class all on the same day! The teacher had NO warning that 60 students who hadn't been in class for months were going to show up. These students were MONTHS behind in the progression of reading/writing/playing/singing music, had NO instruments, and were, needless to say, completely lost. This also took some of the class sizes to OVER 50 students! This teacher, being a FIRST YEAR

teacher, didn't know what else to do, so she paired them up into small groups for the next several weeks and had them peer tutor each other. This sounds like a great idea, but keep in mind that the students who were doing the tutoring made absolutely NO progress during this time and not all students benefit from this approach. Not to mention that many of the new students' parents flat out refused to purchase a recorder for class because they didn't want to spend the money since over half the semester was gone. The students who were behind or without recorders were frustrated and began to dislike music because they didn't have the solid foundation to help them keep up with ANY new material that the teacher tried to introduce. This translated into behavior problems and eventually the teacher resorted to showing a progression of music-related movies in order to keep the class together. Even a veteran teacher would have problems with 60-plus new students showing up all on the same day to class with no warning and no supplies. It is a testament to this first year teacher's worth that she is still a teacher at all, after having that bomb dropped on her.

- In Spring 2008, one of my elementary schools canceled 5th grade band (and all other Specials classes) for the entire month of April for TAKS preparation. When they came back in May, they had forgotten much of what we had learned, and did not play in the Spring concert. The next year only ONE of the 12 students is in band. The others were too discouraged or disappointed with the previous year to sign up again.

- We have students who were not allowed to take band this year because they were double-blocked in the TAKS subject that they were weak in last year.

- Three years ago, I too had band students reporting to TAKS tutoring daily for about 6 weeks. UIL band contest was in the middle of this 6-week period. I tried to work out a schedule so the students could come to class and learn their music for contest but I was told that TAKS was more important than UIL contest.

- Last year, two weeks prior to our scheduled performance at UIL C/SR, a campus-wide moratorium on all off-school activities was imposed so that students would study hard and make the big push toward the TAKS test. This included band, regardless of the fact we had been preparing for months, and were able to be competitive.