

**Testimony to the Senate Education Committee**  
**By Stacey Amick, Parent**  
**October 29, 2012**

Chairman Shapiro, members of the committee, thank you for hearing me today. My name is Stacey Amick. I am a mother of two children who attend public middle school in Flower Mound, one of whom receives Special Education Services. I am here to speak to you about the harmful effects of our current accountability system for those students, both special education and otherwise, who struggle. I speak for the kids who no one wants to talk about: the ones who can't pass the test.

There are a significant number of students who will not pass STAAR exams, no matter how hard they work, no matter how much remediation they get, no matter how talented their teachers are. Some of these students have disabilities covered under special education, some have disabilities that aren't covered under special education, still others are simply students who struggle to make good grades, and will simply not test well. Regardless of the reason, it is essential that we address the REALITY that not all students will be successful. Instead of punishing that group with constant test retakes, test prep style remediation, grade retention, and denial of a high school diploma, those students should be identified as needing an alternative accountability path, one that ensures graduation and puts them on a path to post-secondary success. Typically around 10 percent high school seniors are denied diplomas despite passing all of their classes under TAKS. In 2011 it was one in every 12 high school seniors. **That amounts to over 20,000 students every year whose hope for post secondary success is all but thrown away.** This number will only get worse with STAAR. To help explain the situation, I offer the following problems and solutions:

Problem #1: ARD Committees do not have enough flexibility to determine what assessments and interventions are appropriate for disabled students. Because of percentage caps on number of students to be identified for those tests, many students for whom modified tests are appropriate cannot access them because participation requirements are so stringent. In fact, special education students who make enough progress to work on unmodified curriculum with supports become ineligible for a modified test. Essentially they are penalized for doing well! So those students who have worked the hardest to progress are the ones who are subjected to test retakes, test prep remediation, and then have to go through the process of grade placement committees to advance to the next grade in 5th and 8th. This, despite the fact that grade retention has not been proven effective and may, in fact, do harm. And it is certainly not an appropriate intervention for a disability. These students taking EOC's in high school will essentially be subject to year-round retakes and test prep.

Problem #2: Even if a disabled student qualifies for a modified test, they often will not be successful. The demand for increased rigor has been interpreted more as quantity of curriculum rather than depth and quality. All students are being tested on too many standards. Children who may not have had trouble in the past are now struggling

because there are so many standards that they do not have time to master the content. Disabled students have even more trouble keeping up. The results are hours of homework and tutoring that are unreasonable to expect from any child. Then these students are tested on material they didn't have enough time to master in the first place. This is particularly true for kids subjected to the 4x4 curriculum in high school, which is not appropriate for kids, disabled or not, who will not be able or interested in attending a 4-year university.

Problem #3: There are kids with mild disabilities (ie dyslexia) or whose learning style makes them have to work very hard to maintain grades. They earn good grades in class but will STILL not be successful at STAAR and will not be eligible for a modified test. These students will also be penalized for their hard work with test retakes, test prep remediation, grade retention and denial of a diploma. And they have NONE of the protections in place for special education students, inadequate as those may be.

Solutions:

1. For Special Education students, ARD committees should have the flexibility to choose which tests are appropriate for a student and whether retakes and accelerated instruction are appropriate. Overly stringent participation requirements meant to "whittle down" the number of participants to an arbitrary federal percentage cap prevent many students from accessing the test that is most appropriate for their situation. Accelerated instruction/ test prep is not appropriate for many students, as it will not eliminate the cause for failure, which is the disability itself. The time would be better spent on current classroom requirements, and often these students are already engaged in tutoring. To require more would contribute to burnout and exhaustion.
2. If our legislature cannot agree to eliminate state mandated tests, they should be DIAGNOSTIC in nature, not punitive. This is particularly true for special education or any struggling student. Research has consistently shown that grade retention has no benefit and may be harmful. EOC's are a significant barrier to graduation for these students, rather than a motivator.
3. Although curriculum is not being discussed at this hearing, it is a related issue. Rigor should be about quality and depth, not quantity. Not only should we decrease the number of tests given in high school, not all students should be working off the 4x4 curriculum plan. A four-year university is neither realistic nor desired by every student and parent, yet all kids are forced into this one size fits all plan. Additionally, we must decrease the number of standards at all grade levels so that students have enough time to master concepts.
4. Offer an alternative graduation plan for those students deemed at risk for being unsuccessful or who, with approval from parents and the student, wish to graduate on an alternate path plan. The existing "minimum plan" has served only as a "last resort"

and students are discouraged from pursuing that plan. Instead, there should be a true, viable plan for these students to achieve goals and ensure post-secondary success. As previously, stated, such a plan should include diagnostic rather than punitive assessments and be free from the current discouraging high stakes. Texas Workforce Commissioner Tom Pauken has proposed an excellent common sense approach that would create tracks to include career and vocational training. High stakes standardized testing would be replaced with appropriate measures of success for each population/track. If the legislature opts to make AP, SAT, or IB tests count for EOC's, then students on career, vocational or junior college tracks will also need a better method for assessment of progress than EOC's. In this way, we would no longer have thousands of students with no diplomas and no hope for success after graduation.

## Leslie Amick

Our daughter Leslie is the example of everything you would hope for in a special education student. She's attentive, highly motivated, asks great questions, and gets along well with her teachers and peers. She's even a Girl Scout Silver Award recipient. But she has a language processing disorder, so she struggles to make grades. Despite her challenges, she continually amazes both her teachers and us in her ability to work long hours to attend tutoring and finish assignments. Her endurance is astounding. In the end, with a lot of support, she manages to pass her classes, often making B's. However, the TAKS test every year threatens to unravel all of her hard work by hurting her confidence with test retakes, adding even more to her workload in the form of "accelerated instruction", and potentially taking away those things that serve as motivators and a respite from the grind of school like



electives and summer vacations. In 5<sup>th</sup> grade she failed TAKS A reading on the first attempt, and managed to pass by 1 question on the second attempt. Had she not passed, her remediation was to be 8am-2pm every day for six weeks during summer at an unfamiliar campus. During her 6<sup>th</sup> grade year she was required to take a "special" study skills class, which amounted to more test prep for an entire year. Meanwhile, her peers were being taught organizational skills and keyboarding. Again she managed to



pass reading in 6<sup>th</sup> grade by ONE question. Had she not, one of her electives would have been replaced with accelerated instruction. During her time in middle school, particularly this year, she has struggled with curriculum that moves so fast. She can't afford to miss a day of school because it's so difficult to catch up. She endures hours of homework every night, most of the time with a good attitude, but she is understandably very tired at night. As you can imagine, by May she is exhausted. By her 7<sup>th</sup> grade year, because Leslie had made so much progress, the school felt she should take unmodified tests for all subjects. The result was abysmal raw scores on the STAAR test. We are now charged with going back to ARD to reinstate her modifications, and even then, she will likely be unsuccessful in at least one, but probably more STAAR tests. Again, we have to go through the humiliating process for her of retaking the test,

accelerated instruction, then grade placement committee. But the bigger worries will come with high school. Based on our past experience, what lies ahead for her is year-round test retakes and accelerated instruction.

We cannot continue to reduce the sum of our student's educational experiences to scores on multiple-choice tests. We **MUST** consider the impact of such policies on the daily life and well being of our children, especially those most at risk for being unsuccessful on such tests. No parent or teacher will argue that schools and students must be held accountable, but high stakes standardized testing has proven to be a poor tool to measure achievement and progress and it is actively harming our kids' education.

