

Kyle and Jennifer Massey

March 20, 2014

Ms. Lisa Cain, Principal  
Hillcrest Professional Development School  
Waco Independent School District  
Waco, Texas

Dear Ms. Lisa Cain,

This letter is to respectfully inform you that our fourth grade child, [REDACTED], will need to be excused from all mandated standardized testing (e.g. STAAR test) during the remainder of the school year. This is also to include classroom activities that are intended as STAAR test preparation, such as practice tests and test-taking training exercises. As we are morally and ethically opposed to these school activities, we are making this decision with recognition of our parental rights and obligations under the due process clause of the Fourteenth Amendment of the United States Constitution and the Texas Education Code (Title 2, Subtitle E, "Students and Parents, Section 26, "Parental Rights and Responsibilities").

We maintain that it is our parental right to choose to opt our children out of school activities that are harmful to children as stated in the Texas Education Code CHAPTER 26. PARENTAL RIGHTS AND RESPONSIBILITIES Sec. A26.010.EXEMPTION FROM INSTRUCTION. A parent is entitled to remove the parent's child temporarily from a class or other school activity that conflicts with the parent's religious or moral beliefs if the parent presents or delivers to the teacher of the parent's child a written statement authorizing the removal of the child from the class or other school activity. Please consider this letter to be our written statement of authorization.

We want our children to become critical and creative thinkers, not subservient test-takers. Public education in this country has been the victim of thirty years' worth of neoliberal hegemonic attacks in the form of political and economic policies. These corporate attacks have negatively altered the structures, pedagogical practices, and intended democratic goals of public education. As we reflect on the intended goals of public schools in a liberal democracy – to prepare citizens for active civic participation, and indeed for global citizenship, for example – we believe it is morally wrong to put children through the ordeal of standardized testing which has no benefit to their personal education or development as citizens.

We do not want [REDACTED] or his teachers shackled to a faulty testing product such as the STAAR test, or any standardized test for that matter. High-stakes standardized testing is not the education experience we want for our children, and thus we are choosing to opt [REDACTED] out of all STAAR testing activities.

The following summarizes some of our reasons for our belief that the practice of high stakes standardized testing is morally wrong:

- **AFFECTS SOCIO-EMOTIONAL WELL-BEING:** This system of constant testing seems designed to produce anxiety and depression. Evidence has accumulated over the last few decades of the detrimental effect of frequent testing on students' enjoyment of school, their willingness to learn, other than for the purpose of passing tests or examinations, and their understanding of the process of learning. A well-documented direct impact of testing regimes is that they induce test anxiety in young learners and that perceived low scores negatively affect students' self-esteem and perceptions of themselves as learners. Any negative impact on motivation for learning is clearly highly undesirable, particularly at a time in a young person's life when the importance of learning to learn and lifelong learning is widely embraced.
- **KILLS CURIOSITY AND LOVE OF LEARNING:** High-stakes standardized testing actually limits and reduces the amount of QUALITY learning experiences. Rather than focusing on a child's natural

curiosity, testing emphasizes (and drills in) isolated facts limiting teacher's ability to create environments that stimulate a child's imagination.

- **REDUCES A CHILD'S CAPACITY FOR ATTAINING NEW KNOWLEDGE:** If children cannot actively make connections between different topics of study, they don't remember what they learn from day to day. Most standardized tests are still based on the recall of isolated facts and narrow skills.
- **REPLACES HIGHER ORDER THINKING WITH SKILL, DRILL AND KILL:** Most tests include many topics that are not important, while many important areas are not included on standardized tests because they cannot be measured by such tests. Teaching to the test does not produce real and sustained gains on independent learning measures.
- **NARROWS THE CURRICULUM:** The loss of a rich curriculum has been documented in research and in teacher testimony. The use of high-stakes tests is universally found to be associated with teachers focusing on the content of the tests, administering repeated practice tests, training students in the answers to specific questions or types of question, and adopting transmission styles of teaching. In such circumstances teachers make little use of assessment formatively to help the learning process. High-stakes tests are inevitably designed to be as 'objective' as possible, since there is a premium on reliable marking in the interests of fairness. This has the effect of reducing what is assessed to what can be readily and reliably marked. Generally this excludes many worthwhile outcomes of education such as problem-solving and critical thinking.
- **REDUCES SOCIALIZATION AS A CENTRAL CORE OF LEARNING:** The reduction of opportunities to learn to socialize through and collaborative classroom activities reduces children's opportunities to develop healthy social skills. Being seated alone at a desk taking a test all day, or for a significant portion of the day, isolates children from learning how to develop community-based problem solving skills they will need as adults.
- **WASTES VALUABLE EDUCATIONAL TIME SPENT TAKING TESTS:** Texas Public Schools will spend one of every five days or nearly 20% of the school year conducting tests. According to the Texas Education Agency, Texas public schools will spend 34 out of the 185 day long year conducting tests mandated by the state government. This does not include the regular testing in schools such as six-weeks tests, quizzes, and final exams.
- **VIOLATES ALL CHILDRENS' RIGHTS TO A FREE AND APPROPRIATE EDUCATION:** High-stakes testing leads to under-serving or mis-serving all students, especially the most needy and vulnerable, thereby violating the principle of 'do no harm'. For example, students living in poverty, who already lack critical access to books and free reading, are condemned to test prep instead of having opportunities to read. Monies desperately needed for vital school resources such as clean drinking water, supplies and roofs that don't leak are being spent on testing materials. Texas spends \$44 billion per year on public education, of that \$1 billion is spent just on testing days!
- **LIMITS THE EDUCATION DECISION-MAKING POWER OF COMMUNITIES:** Largely through standardized testing, neoliberal reforms have transferred the control of schools away from the local school boards, where control has resided since the founding of public schools, to the state and federal levels, which create policies about which communities have little input but are mandated to implement. States and the federal government have managed to gain control in part by adopting a discourse of civil rights and equity, and by not imposing specific curricula on schools but, instead, leaving it to the local school districts to implement curricular policies to achieve the test score goals, what can be described as steering from a distance. In this way, the state and federal governments are able to take credit for whatever perceived improvements result from their policies, and, conversely, whenever their policies produce negative results, they can blame someone else, usually teachers. Teachers have suffered the brunt of the blame since the publication of a Nation at Risk (1983) thirty years ago. Consequently, the negative portrayal of public school teachers in the USA has demoralized many educators.

For these reasons above, and since we choose to prioritize [REDACTED]'s well-being and the furtherance of his education, we cannot in good conscience, in our roles as his parents, and as educators ourselves, allow him to be subject to the STAAR tests that will be administered this spring.

As we have been told countless times by various education entities in the state of Texas, the purported purpose of these tests is to gauge how well students are mastering material and provide information to teachers and schools so that they may "differentiate" and improve instruction. Over the past year of communicating with [REDACTED]'s teachers, in addition to the results of the numerous district benchmark tests he has already completed this academic year, we feel we have more than enough information to identify [REDACTED]'s strengths and weakness and his progress with the taught curriculum concepts. His teachers already have countless pages of test results to interpret and work from, in addition to the observations, notes, and results that they have been collecting through ongoing formative and summative assessment practices throughout the school year with respect to [REDACTED]'s daily classroom work.

Forcing [REDACTED] to take the STAAR tests in April of 2014 will not significantly add to the information that we already have, especially since we would not be allowed to even see the STAAR tests that he would actually take. The score cards provided by the test-makers will not provide any additional insight into how we may best serve [REDACTED] moving forward, as we and his teachers, along with other school personnel who know [REDACTED] and work with him every day, continue to work diligently to share our experiences and collaborate to provide [REDACTED] with the most effective and individualized education possible.

We trust the trained and professional educators at Hillcrest PDS to help us make the best educational and development choices for [REDACTED] and find no value added by these standardized tests. Importantly, it is not just the fact that the STAAR tests would not add any value to his education, but also that they are a detriment to his education, [REDACTED]'s perception of himself as a learner, and his perception of and experiences at school. Please understand that our decision to opt [REDACTED] out of the STAAR tests is one firmly grounded in our moral and ethical beliefs and convictions.

We are not making this decision simply to "avoid" a test, but rather to exercise our rights to ensure that Hillcrest PDS does not force [REDACTED] to take part in school activities that are contrary to our moral and ethical beliefs. Any further attempt by the school or Waco ISD to force [REDACTED] to participate in STAAR testing (including practice STAAR tests) will be seen by us as intentional actions to dismiss or ignore our rights. While we hope and expect that Hillcrest PDS and Waco ISD will support our legal rights, we are prepared to respond with appropriate measures if it becomes evident that this is not the case.

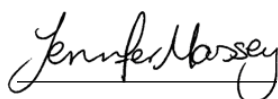
Parental rights are broadly protected by United States Supreme Court decisions (e.g., Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the "fundamental right" to "direct the upbringing and education of their children." Furthermore, the Court declared that "the child is not the mere creature of the State: those who nurture him [or her] and direct his [or her] destiny have the right coupled with the high duty to recognize and prepare him [or her] for additional obligations" (Pierce v. Society of Sisters, 268 U.S. 510, 534-35). The Supreme Court criticized a state legislature for trying to interfere "with the power of parents to control the education of their own" (Meyer v. Nebraska, 262 U.S. 390, 402.). In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten "liberties" protected by the Due Process Clause of the Fourteenth Amendment (262 U.S. 399). The immorality of high stakes testing in the public schools, as stated earlier, constitute an unreasonable state interference in the education of youth in public schools.

With consideration of the Texas Education Code, Chapter 26, and the Due Process Clause of the 14th Amendment of the U.S. Constitution, we would appreciate your cooperation in securing our rights as parents to opt our child out of standardized testing.

Sincerely,



Kyle Massey



Jennifer Massey

Cc: Ms. [REDACTED] [REDACTED]