

MassCARE
342 Broadway
Cambridge, MA 02139
Tel: 617-864-4810
Fax: 617-497-2224
e-mail discussion group:
care-subscribe@yahoogroups.com
Web Site: www.caremass.org

Massachusetts Coalition for Authentic Reform in Education

For immediate release, Thursday, March 20, 2003

For further information, contact

Larry Ward, MassCARE, 617-864-4810

Monty Neill, FairTest, 617-864-4810

Deborah Meier, Mission Hill School, school days
at 617-635-6384, weekends, 518-325-3010

Jonathan King, MassCARE, 617-253-4700

Lisa Guisbond, MassCARE, 617-730-5445

Parents, Educators File Friend of the Court Brief in MCAS Suit

Leading public school advocacy groups representing parents and educators will file a friend of the court brief today in Suffolk Superior Court supporting plaintiffs who seek a preliminary injunction against using the Massachusetts Comprehensive Assessment System (MCAS) test as a graduation requirement. [At <http://www.caremass.org/legal/amicusbrief.htm>.]

The brief documents the ways in which the “one-size-fits-all” MCAS tests violate 1993 Education Reform Act, which calls for a “variety of assessment instruments” that take into account “the cultural and language diversity of students in the Commonwealth and the particular circumstances of students with special needs.”

The request that the court bar use of the MCAS to determine graduation for this year’s senior class is part of a larger suit in which the plaintiffs charge that the Board of Education—under John Silber, James Peyser, and David Driscoll—violated the 1993 Education Reform law by instituting the standardized MCAS test, to determine who qualifies for a high school diploma.

The Amici curiae, or friends of the court, in the brief are the parent-led Massachusetts Coalition for Authentic Reform in Education (MassCARE) representing more than 10,000 public school families, the National Center for Fair & Open Testing (FairTest), the Center for Collaborative Education (CCE), and Cambridge Massparents.

The brief describes the deep harm done to thousands of Massachusetts students as a result of the high-stakes MCAS tests, particularly the grave harm to plaintiffs and more than 6,000 other seniors who will be denied high school diplomas based on the test.

Jonathan King of MassCARE, who led the team that wrote the brief, explained, “The plaintiffs’ suit shows clearly how the Silber/Peyser/Driscoll Board of Education circumvented the intent of the Ed Reform Act with their regulation making MCAS tests the barrier for graduation. “Our brief describes the many ways in which the

standardized MCAS tests fail to carry out the 1993 law, including denying students the right to present work samples, portfolios, or performances; erroneous test questions; scoring errors; and the use of norm-referenced rather than criterion-referenced tests.”

Monty Neill, executive director of FairTest, said the brief is significant because it draws on a large body of research showing the negative consequences of high-stakes testing in general and the MCAS in particular. “MassInsight and other members of the business community have weighed in, supporting the defendants in this case, and claiming the MCAS graduation requirement is essential for the promotion of academic achievement,” said Neill. “Now the court will have the benefit of hearing from an important array of education experts, as well as those whose lives are being negatively affected by this misguided policy. The evidence clearly shows that use of the MCAS as a graduation requirement is harmful to students, not necessary for educational improvement, and violates the Education Reform Act.”

Deborah Meier, co-principal of the Mission Hill Public School in Boston and a nationally recognized educator and author, has been a strong and articulate opponent of high-stakes testing. Mission Hill is a pilot school that is part of the CCE, one of the cosigners of the brief. If the plaintiffs do not prevail in court, she has grave concerns for the future of education in Massachusetts, fearing the MCAS will weaken, not improve, the schools.

“My fellow educators shudder at this prospect before us in Massachusetts,” Meier said. “Having witnessed the extraordinary evidence of what schools can do for kids, I know this is a detour we will regret. We know, for example, that ‘extra-curricular’ activity is a greater predictor of success than test scores, ditto for teacher recommendations and class grades, or the kind of work done by schools like my own—of which there are many in Massachusetts—with tough graduation standards based on real demonstration of competence before highly critical and demanding public review boards.”

“I don’t see how the court could fail to be moved by the plight of some of the special needs kids described in the brief. These kids have worked tremendously hard to meet expectations of their schools and overcome their disabilities and now face the prospect of leaving school empty-handed,” said Lisa Guisbond, of MassCARE.

Parents, teachers and students who have been engaged with this issue for more than three years vow to continue the struggle regardless of what the court decides. “We will not give up on the 6,000 students at risk of being denied diplomas,” said Larry Ward, statewide MassCARE coordinator. “And we will not give up on the nearly 17,000 who have not made it to senior year with what’s left of the Class of 2003. We have high hopes that our judicial system will intervene to protect the state’s most vulnerable students, but if not, we will continue to work to protect our children and implement a fair and helpful assessment system.”

Jonathan King, Tim Plenk, Lisa Guisbond, Monty Neill, Rob Riordan and attorney Mark Perkins prepared the amicus. On the web at <http://www.caremass.org/legal/amicusbrief.htm>.