

Our Testing is Illegal “Endorsement” – admits Arne Duncan, U.S. Education Chief

Welcome to the “Stop High-Stakes Testing” Movement [Paragraph 1]

11/13/2014

“We will not endorse or sanction any specific curricula -- the Department is in fact appropriately prohibited by law from endorsing or sanctioning curricula.”*⁰¹ Secretary Duncan, April 9, 2010, *The Well Rounded Curriculum* speech. ^{1a,b} But this is exactly what they’re doing. ^{1c,i} The Clinton-Bush-Obama era of authoritarian, nationalized math and English standards is an illegal, failed promise. ^{2,1} The stakes are too high to blindly trust their negligent big gov we-know-best “reforms” (A1,2). Welcome to non-partisan “test reform” and the “[Stop High-Stakes Testing](#)” Movement (A8).



Their Big-Gov Disablingly Separate, Unequal and Denied Education “Ed” Policies [P2]

The 1964 Civil Rights Act, *Elementary and Secondary Education Act* (ESEA) in ‘65, and U.S. Ed Dept est 1979 was to protect K-12 equal access. ^{01, 02} Bush ESEA 2002 renewal added standardized “high-stakes” testing** *No Child Left Behind* (NCLB). They promised equal opportunity to every public and charter student but endorsed (required) equal access *only* to math and English.** Their resultant *sanctioning* (denial) of “whole-student” curricula starting with music and arts causes disablingly separate, unequal and denied-access education.*** ^{03, 06} “At first they came for my neighbor’s kid, but then they came for mine”.

Their Big-Gov Blind-Trust Testing Bubble [P3]

Their Blind-Trust Testing Bubble continues relentlessly in American education. Yet, China and other countries are fundamentally and methodically replacing their own big-gov standardized testing with whole-student education that emphasizes “the individual” over *The Test*.*** ⁰⁴ Test leader Shanghai is expected to pull out of world competition. ^{04,1}

Their Big-Gov Illegal Federal agenda of Math and English National, Standardized Testing [P4]

President Obama and Secretary Duncan continue NCLB and their signature higher-stakes “Race to the Top” federal agenda and contest, renamed “*Race to the Bottom*” by educators. This includes “Duncan Waivers” and newest “Equity and Opportunity” scheme, as well as their illegally funded and puppeteered Common Core “State?” Standards. ^{5,1}

Their Big-Gov Standardization of Young Minds [P5]

An endless theft from whole-student education, their false-promise Common Core con job is said to be the “next-generation” of “game-changer” testing that will provide “readiness”. But negligently conceived and designed, it doesn’t really prepare young minds for success in college and careers, or independent, critical and creative thinking, as it deepens test-and-punish “rigor”. No two kids are alike, yet all are being “standardized” and “zombie-ized”(A1, A3). ^{5,2, 03}

Their Big-Gov High-Stakes and Excessive Standardized-Testing Cancer [P6]

A student asked, “will there be anything we will need to remember after the test”? NCLB and Common Core *endorse-but-sanction high stakes and excessive standardized-testing cancer* kills the love to learn and teach as it undermines common sense and countless futures. States rejecting the Core must also ban *their own* high stakes in *all* forms. ^{5,2, 08}

The High-Stakes Education Rule and “invisible” Socio-Academically Disadvantaged [P7]

Beware of The High-Stakes Education Rule: What is tested with high-stakes standardized accountability gets taught; what is not tested gets unequal or denied access.†^{6b} The K-12 student of *socio-academic* advantage [high(er) test score] gets *unequal access* to whole-student curricula or can outsource to learn, while the “invisible” disadvantaged student [low(er) test score] learns to grow up with disablingly narrow, separate and denied-access education (A4). ††

Our Music and Arts are quietly Being Replaced [P8]

Even music and arts *Title I* low-income fed funding is quietly being replaced in local schools by federal and state math and English high-stakes “accountability” pressures, particularly for low(er) test results. (A1,5,6). ⁰⁶ Students needing it the most are left out, their opportunities lost, perhaps forever. **



Their Big-Gov Betrayal of Promises [P9]

Betrayal of promises to teachers, students and America ⁰⁷ makes equal-access learning impossible as long as test scores help determine teacher jobs and student futures (A7). Intimidated teachers and administrators face *conflicts-of-interest* daily between the balancing of individual whole-student development versus disabling high-stakes standardization. †††

Their Big-Gov LEARNING DISADVANTAGE GAP (attachment A4) [P10]

Previous administrations’ negligence gave birth to The LEARNING DISADVANTAGE GAP, which metastasized into an even-more invasive *socio-academic* cancer, today (A4). Teachers and young students are pressured and punished into the high-stakes “no-excuses” blame game of inappropriate “accountability”. ⁰⁸ “So, I am 110 percent behind our teachers. (Applause.) But all I’m asking in return...is some measure of accountability. [high-stakes testing](Applause)...If we’re not seeing results in the classroom, then let’s help them become more effective. [higher math and English test scores] If that doesn’t work, let’s find the right teacher for that classroom.” [teach to the test or terminate](Applause.) –from National Urban League speech by Pres. Obama, July 29, 2010.

Their Illegal State Endorsements of Socio-Academic Discrimination (A4) [P11]

Their illegal Big-Gov *endorsement* forces states into equally-illegal complicity. States also have a constitutional duty to ensure that all students receive “*basic equality of educational opportunity*”—Butt v. California, Ca Supreme Crt, 1992. ^{09h}. As it is illegal for the feds to *endorse or sanction* subjects, it is equally so for states to accept federal funds when doing the same, such as Common Core or alternative testing, Race to the Top, and of course, No Child Left Behind. “*The Constitution does not protect the sovereignty of States for the benefit of the States or State government, but [instead] for the protection of individuals.*”—New York v. United States, U.S. Supreme Crt, 1992. ^{09f} Selective *sanctioning* of whole-student education ^{06b} is disproportionately disabling to the youngest and academically disadvantaged (A4).† “*Individual rights do not stop at the school-house gate*”—Tinker v. Des Moines Independent Community School District, U.S. Supreme Court, 1969. Along with low family income, their high-stakes and excessive standardized testing causes socio-academic discrimination from selectively denied-access to whole-student curricula as well as testing abuse, rank-and-label profiling, negative stereotyping and segregation.†† “*It is a right which must be made available to all on equal terms*” — Brown v. B.O.E., Chief Justice Warren, U.S. Supreme Crt, 1954. ^{09, 09c, 01}

Challenge Their Big-Gov Negligence Rule and Our Blind-Trust Complacency [P12]

Be aware also of their Big-Gov Negligence Rule: *Trust and grade us by our promises, not our performance* (A7).†††¹⁰ Negligence from “leading” political parties, lawmakers, civil-rights groups, media and corruptive “big-money” has failed students, parents, teachers and America. ¹¹ To help the “**Stop High-Stakes Testing Movement**”, start by sharing far-and-wide this Call to Action: “*We’re mad as hell and not going to take it anymore*”. See “what-to-do tips” (A8) and ref links.¹² Our blind-trust complacency has allowed for the rise of their testing abuse and anti-democratic arrogance, authoritarianism, harmful negligence and false-promise Blind-Trust Testing Bubble.(††)† “*At first they came for my neighbor’s kid, but then they came for mine.*” —John Charles Thompson, 2014 adaptation from M. Niemöller, 1946

The story that led to my investigation [P13]

In 2009 my alma mater 18,000-student district, pressured from high-stakes testing, cut K-8 music and arts teachers by 50% in spite of available free “Title I” arts funding (A1.5). I began my *independent* petition and **Parents and Students for Music and Arts** group (allartsallkids.org) to support balanced whole-student curricula (A6).¹³ The superintendent (ret. 2012) censored our rights by demanding control and boycotting my local music center. Instruments were denied timely cost-effective repairs, while strong objections from band directors were ignored. ¹⁴ I blame big-gov high stakes and excessive standardized testing of math and English, which has created a cancerous “toxic culture of education”. ^{03a}

John Charles “Johnny” Thompson, **Parents and Students for Music and Arts**

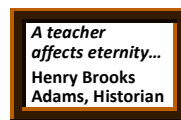


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* **Endorsed:** High-stakes tested gets taught. **Sanctioned:** Not tested is not taught. **Curricula:** Individual subjects. **Curriculum:** Schedule of all subjects taught.

** **High-stakes and excessive standardized-testing “accountability”** of *endorsed* math and English: Students of academic-disadvantage from low(er) test scores are denied equal access to balanced “whole-student” curricula. Gov’t and schools excuse it as “scheduling difficulties”. Funding, teacher and admin jobs depend on misused, unreliable testing. This produces “teaching to the test” (test-prepping) and The *High-Stakes* Education Rule. ^{06c} States refer to teacher “accountability” as “VAM”. Research and classroom experience consistently show that *endorsed-or-sanctioned* curricula and VAM are invalid and counterproductive to learning. ⁰⁸

*** **Whole-student education:** Equal access to all curricula balanced with engaging music and arts plus PE, emphasizing “the individual” to build lifelong love of learning, character and self-reliance, curiosity and creativity, imagination and innovation, critical and civic thinking, as well as social, team and leadership abilities. ⁰⁶

† **Campbell’s Law:** “*The more any quantitative social indicator is used for social decision-making, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor.*” (1976) ^{02.1b} <http://dianeravitch.net/2012/05/25/what-is-campbells-law/>, [Click here for The High-Stakes Education Rule](#), [Also visit Campbells Law at this link](#)

†† **Socio-Academic Discrimination:** Any student disadvantaged and therefore disabled by separate and selectively denied-access education. **Disability** (or disabling): Anything that disables or puts one at a disadvantage (dictionary.com). “*There cannot be any moral, fundamental or practical civil-rights and Constitutional-protection difference between a disabling discrimination based on race versus a low(er) (high-stakes standardized) test score.*” Refer to [The LEARNING DISADVANTAGE GAP](#). ⁰⁴

††† **Arrogance Rule:** Anti-democratic, corruptive and harmful when any person, group or gov acts on the belief that “we know best” and *the end justifies the means*.

Authoritarianism: Principle of blind submission to authority as opposed to individual freedom of thought and action.—Encyclopedia Britannica

Educational authoritarianism: Systemic arrangements designed to enforce government-prescribed uniform standards upon all children.—Yong Zhao, 2014. ^{04a}



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