

## Heeding Humble Voices

I was faced with the prospect of preparing my eighth grade students for high stakes standardized testing in the fall of 2000 - the test to be administered in February of 2001. The more I studied this concept of high stakes testing, the more abhorrent it became to me, and the more I saw it as a violation of my egalitarian principles as an educator. Indeed, one of the requirements for a teaching license in Colorado includes the following statement: "The educator is knowledgeable about child development as applicable to learning and is able to recognize and display respect for family, culture and societal influences that affect student learning." I was teaching in an inner city junior high school in Greeley, Colorado, which in 2000 - 2001 had been converted into a middle school. About half of my students spoke Spanish as their first language, and since English wasn't their home language, they were at a disadvantage in this testing regimen.

I was also one of only a few bilingual teachers at our school and was often called to translate conversations between administrators and parents. I saw parents, wanting the best for their children, struggling to understand a foreign system. I remembered the phrase "in loco parentis" that I had heard often as an aspiring teacher. We don't want any harm to come to our children. This testing mania was harmful to them - it pitted them against each other. Thus, after much deliberation, reflection, and study, I decided that I could not in good conscience administer the test. And so I committed an act of civil disobedience by refusing to administer Colorado Student Assessment Program (CSAP) tests.

In January of 2001, in fact on the day we honor the memory of Dr. Martin Luther King, Jr, I composed and sent letters to policy makers, legislators, the local and state school board and the governor's office:

"The more I have researched the issue of high stakes standardized testing, the more I have come to the realization that these tests are antithetical to 1) the egalitarian premise of public schools and 2) undermine the dignity of the teaching profession.

Regarding issue number 1 - Generally students who fare well are those who have a literary background, and are from Western European professional or middle class families. Thus, the tests further polarize our already polarized community. Minority students, students whose language is other than English are disadvantaged from the moment they bubble in their names. (See The Manufactured

Crisis by Berliner and Biddle) The tests also narrow the curriculum and are a powerful intrusion into America's classrooms. (Resolution of the National Council for the Social Studies, and the National Council of Teachers of English) Thus students and teachers have less class time to explore concepts and embark on creative learning experiences.

Regarding the second issue - the undermining of the teaching profession - There seems to be an underlying concept that all teachers need is a manual to follow and all will go well in the classroom. The makeup of every class is

different. Teaching is an art, a science, and a calling, all of which defy a lock-step manual. No test can teach citizenship, co-operation, and compassion. The professional in the classroom strives to develop thoughtful and meaningful assessments which connect curricula with individual learning styles. For us to subject children to this one dimensional high stakes testing regimen is nothing short of educational malpractice. Therefore, I must respectfully decline to administer the test."

With these letters and with that refusal, although I did not know it at the time, the seeds of our Coalition for Better Education, Inc. were planted. I was suspended for two weeks without pay during the administration of CSAP tests. However, when I returned, atmosphere at school was so negatively charged that I decided to make that year my last. I landed a teaching position at our local university in the department of Hispanic Studies, and my new colleagues encouraged me to keep speaking out against the injustices of standardized testing. I developed a brochure consolidating these injustices, in both English and Spanish, and put up booths at an annual educational fiesta, and at the celebration of the Mexican Independence Day in September.

At the Independence Day Celebration in September of 2003, a colleague approached our booth, looked at our brochure, and said, "Don why don't you try to get the elimination of CSAP on the ballot for the November 2004 election?" That brief conversation inspired me to investigate the possibilities of having a ballot initiative approved for that fall's election. Various phone calls and a statement of intent to the Office of the Secretary of State resulted in a telephone call from that office with this message: "You have to develop your own legislation and bring it to the Legislative Council for review. You need two more colleagues to support your measure. So, recruit two fellow petitioners, develop the language and send it to us via traditional mail."

What followed was the rather tedious process of researching school law, drafting legislative language to counter the legislation that was already on the books which used CSAP results to determine which schools would receive additional funding, and which schools were eligible for assistance. Originally funds were to be established to reward those schools that did well, and to help those schools whose scores were low. But that cache was never funded, and so the entire regimen turned into a punishment of those schools that scored poorly. I met with the Legislative Council on three different occasions in the winter of 2004 to refine the language of our ballot initiative so that it used, not CSAP results to determine additional school funding, but local assessments of professional educators as well as the federal formula setting forth eligibility for free or reduced lunches.

Early in March of 2004, the Office of the Secretary of State invited me to a panel of three to finally discuss the proposed ballot initiative, and to either approve it or reject it. The ballot initiative, as proposed, was projected on a screen in a conference room. The panel asked me to read it and make any changes before they would pass judgment on it:

"Shall there be an amendment to the Colorado Revised Statutes concerning the elimination of statewide student testing, and, in connection therewith, eliminating Colorado student assessment program (CSAP), academic performance ratings, excellent school awards, and certain other provisions based on performance on statewide assessments; and replacing school ratings based on statewide assessments with school classifications based on: (1) local assessments and judgments of professional educators, or (2) the percentage of students eligible for free or reduced-cost federal lunch benefits?"

Yes, I said to the panel, this is exactly what we would like the initiative to state. They conferred quietly for a few moments, and then the one in charge turned to me, "Mr. Perl, as stated, your ballot initiative, number 83, has been approved. All signatures must be submitted to this office on or before August 2 of this year."

The next questions were first, how are we going to pay for the printing of all those petitions, and second, who is going to go out and get the signatures? I figured that, since we needed approximately 67,000 signatures, we would need 1,340 petitions, if each petition had spaces for fifty signatures. Each petition also had to carry all the applicable legal language, and so all together each petition would consist of eleven pages of print. The task and price seemed obviously overwhelming. However, just for the sake of exploration, I discussed the issue with the local manager of Kinko's. He liked the project and offered to print all the petitions we wanted for the flat fee of \$850. My two colleagues and I each contributed, and voilà, we had a print contract.

Now, how are we ever going to get signatures? The thought rumbled around in my head that our professional educators would be the first to sign. How wrong I was! I contacted the leadership of the Colorado Education Association. Their newsletter has always had an article stridently criticizing the "one size fits all" formula of CSAP testing. "We've done your work for you," I said in a telephone conversation with the vice-president. "We now have a ballot initiative seeking the elimination of CSAP. With your support, we can get this on the ballot. You could encourage all members of the association to sign. And we can turn the wheel of history for the good of our children, our professionals, and for public education in general." Total silence on the other end. And then finally, "Ummm, ummm, Don, we can't support this initiative. We will put a notice in our newsletter along with other pending legislation." Now it was my turn to be silent. And then finally, "How can you rage against CSAP in your conversations and newsletter, and not support this initiative?" "It's politics, Don. Good luck." End of conversation.

However, we did get some media coverage and some parents called to say that they would like to help. Would I be willing to send them petitions? There were some questions about getting online signatures, but the state law requires signatures to be solicited in person with the actual petition present so that the citizen and petition carrier can communicate. So I developed what I now call "revolutionary headquarters" in my house and I sent out petitions to people with notes that said, "Get as many signautes as you can and send them

back well before the 2nd of August." We had what amounted to four months to get signatures. Channel 9 News became interested in our efforts. A reporter and photographer showed up at "revolutionary headquarters" to do an interview and take pictures. I don't think they were too impressed. Headquarters consisted of one home computer with a dial-up connection and a closet full of petitions. A small piece ran the following day on their website.

But the word still spread. Many folks called to say that they had no idea about this ballot initiative until they had read the spot on the Channel 9 News website, or heard the piece on public radio, and so a number of parents participated in the effort to get signatures. All of our signature-gatherers were volunteers, parents, a professor, a public defender, and a few students from the University of Northern Colorado. Little by little I grew more comfortable with the internet and began to send out messages like, "We only have a month to go. Let's give them something to count!"

On August 2nd we arranged to meet at the Office of the Secretary of State. I sent the word out saying, "We are going to make this a media event." Some thirty signature-gatherers and the media converged on the Office of the Secretary of State. We all handed in our petitions, the media took pictures and did interviews, and then left. And we, the signature-gatherers, were now alone with our thoughts. Of course we knew that we did not have enough signatures to make the ballot, but we did want to build on the momentum we had created. Two weeks later we would receive word that we had gathered 12,485 signatures, impressive in light of the obstacles stacked against us.

But at the Office of the Secretary of State on that August 2nd, the question became, "What do we do now?" Some students at our university had created a website and labeled our mission, The Coalition for Better Education. And while the site was very primitive, at least it provided a point of departure for activism. We, the signature-gatherers, sat in the waiting room of the Office of the Secretary of State, and brainstormed the question. We could advertise on our website. No, better, we could check into media advertising. Maybe outdoor advertising. Thus, we set the first stages of our Coalition as a resistance movement. Professor Laura Manuel now psychology professor at Front Range Community College made the suggestion, and the connection, to advertise on bus benches and bill boards. Carol Carminati of Boulder, parent extraordinaire, offered to make political buttons - something she does to this day as her contribution to the mission.

I studied certain texts of Colorado Revised Statutes and pertinent case law. The case could definitely be made that parents had the last say in their children's education, and could exempt their children from CSAP testing without fear of ramifications. And so we developed the slogan for our advertising, "Parents, We CAN do something about this injustice. Opt out letters at [www.thebbe.org](http://www.thebbe.org)." And then our icon - CSAP in black letters, circled in black with a red line through the acronym. We have raised money for this advertising every year, beginning in the spring of 2005, and are presently in our fall campaign to raise funds for two bill boards on or just off Interstate 25 between Colorado Springs and Pueblo. Our website now has a photograph of the

billboard as it appeared last year. And parents have taken action and opted their children out. Last year one hundred parents at an elementary school in Commerce City took the brave step to say No to the testing regimen. Many others throughout the state have done likewise. The media however have become loathe to cover these stories, and the Colorado Department of Education obfuscates when asked about the number of opt-outs.

In the legislative session of the spring of 2008, Representative Judy Solano from Brighton, Colorado sponsored a bill which would require school districts to inform parents of their exemption rights, and require that no negative consequences flow from such an option. This was the second time that Representative Solano sponsored the bill. This time the bill received much support. Our coalition was on the front lines in that piece of legislation, and in March of 2008 a number of our parents, teachers and public school students took the day to appear and testify before the Senate and House Education Committees in favor of this legislation. I counted more than forty. Everyone's experiences differed of course, but their messages were clear and heartfelt. I was most impressed with the young people who came forward. They spoke eloquently of the high stakes testing movement so insulting to them, so stressful, so antithetical to educational principles, and thus so devastating to our public schools. The legislation passed both houses and went to the governor's desk for signature.

In June of 2008, after both houses had adjourned for the summer, Governor Bill Ritter vetoed the bill. His rationale was that he did not want to interfere with existing mandatory attendance requirements. However, he did not consider the legislation that requires schools to offer "alternative learning experiences" for those children whose parents have exempted them from an activity or evaluation. This past year, once again, Representative Solano attempted to re-introduce the legislation. But this year the legislation did not advance past committee. Energies had been exhausted.

Since that original meeting on August 2nd of 2004, our subscribers' list has grown. Twice a week I send out what I call communiqués of the latest in the world of high stakes standardized testing. I am very grateful to our subscribers who send me links to various letters, documents, and newspaper articles informing me of the latest in the educational landscape. I review these and include them in the communiqués. I am particularly grateful to Susan Ohanian ([www.susanohanian.org](http://www.susanohanian.org)) for her ceaseless efforts to give voice to those of us who speak out for the infinite diversity of our children in public education.

In the last few years, more and more parents have contacted me and have wanted whatever support I can offer as they buck an inhumane system as they speak out for their children. These are the particularly brave parents who see their children's lives damaged and limited by the inhumanity of high stakes standardized testing. Our coalition's letterhead bears the motto - "Created to dignify the autonomy of our children and of their teachers." This is a motto whose message needs to resonate ever more widely in the face of a political climate increasingly insensitive to the needs and talents of our children and to the critical role that the professional educators play in bringing out the best in their

children. One educator in our coalition, John Satten of Boulder, has taken it upon himself to collect anecdotes from parents whose children have been marginalized because they have not taken CSAP testing. Mr. Satten is, at this writing, in the process sharing these examples of educational malpractice with an attorney. So parents now not only can rely on our coalition to strategize before meetings with local school administrators, but also have recourse if they or their children have been subjected to any unfair treatment.

Now public education is faced with an even more formidable force - a Secretary of Education with seemingly unlimited resources wanting to impose strict national standards under the rallying cry of "Race to the Top." Our coalition has taken an active role in speaking out against this further effort to elevate competition above co-operation and to bribe school districts to conform to a dehumanizing agenda. We sent scholar, Lynn Stoddard, author of Educating for Human Greatness, to the organizing conference to speak out for our children and to resist the imposition of a regimen of national standards. We have also printed out several copies of the petition to dismantle NCLB, a petition which circulated online last year and acquired 35,000 signatures. The bound tome is 715 pages long, and contains piercing comments and anecdotes of the harms done by this legislation. One copy is now on reserve at our local public library in Greeley, with several others in the hands of leading educational activists in Colorado, Utah, and Washington State.

I have had the mind-altering experience of practicing two professions, law and education, the second one in two vastly different cultures. The first profession emphasizes competition and is long on bluster. Competition is good, is the message, indeed often at any price. While there is an area of the law known as equity, for the most part, those with the most resources win the day. My second profession, education, I see as far more noble in that ideally it recognizes the individuality of the learner, and seeks to use the talents and interests of the student to connect with the curriculum. In short, the profession is one of love.

However, something heartless in our society labels love as nothing to be trumpeted. And teachers, generally, are humble about their noble qualities, while attorneys, generally, have no inhibitions about boasting their own shallow ones. It is this humbleness, this humility that is responsible, sadly, for the quagmire public education finds itself in. Mahatma Gandhi and Dr. Martin Luther King, Jr. understood the power of love. Richard Lakin, educator and author of Teaching as an Act of Love, writes, "Teaching must be first and foremost an act of love." Noted author, scholar and activist Susan Ohanian (One Size Fits Few, and Why is Corporate America Bashing Our Public Schools?) also emphasizes the importance of love in our profession, "Loving forlorn children gives them life and possibility. Teaching is love in action, requiring no credentials." Once the profession recognizes the critical role that love plays in our relationships with our children, once our classroom professionals realize that we must speak for the students because we know how, then we can begin the slow, arduous, but wonderful journey toward the renaissance of this profession of educator.

I have learned in the course of these last eight years since I boycotted high stakes standardized testing, that what we do locally is of critical importance. The lessons in critical thought, courage, and commitment that we leave our children, and the support we give their parents can have positive results beyond our imaginings. Let us keep in mind that we send our children to school to become more human, to learn to co-operate in a society that needs co-operation for survival. Let us keep in mind that our mission is to instill compassion in a world hungering for it. And let us keep in mind that we send our children to learn nurturing skills essential for the survival of all of us on our fragile planet. And let us spread the word.

Respectfully submitted,

Don Perl  
The Coalition for Better Education, Inc.  
[www.thebbe.org](http://www.thebbe.org)

[don.perl@unco.edu](mailto:don.perl@unco.edu)