

TESTIMONY OF
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NATIONAL CENTER FOR FAIR & OPEN TESTING (FAIRTEST)
IN FAVOR OF REP. JOHN STASIK'S SUBSTITUTE FOR H. 1159
BEFORE THE JOINT COMMITTEE ON EDUCATION
JUNE 15, 1999

Thank you for the opportunity to testify today. I am Robert Schaeffer, the Public Education Director of the National Center for Fair & Open Testing. Founded in 1985 by leaders of the country's major civil rights and education reform groups, FairTest's mission is to assure that standardized exams given to U.S. students and workers are fair, open, valid and educationally sound.

Based on those principles of high-quality assessments, we strongly support the proposed substitute for H. 1159, which would mandate an independent audit of the Massachusetts Educators Certification Test. Such an external review is justified by the events of the past year as well as the measurement profession's own standards.

It has now been fourteen months since the first administration of what was then called the Massachusetts Teacher Tests. From that date in April 1998, not a week has gone by without FairTest receiving calls from prospective teachers with seemingly valid complaints about the exams' content, administration, or grading.

Among those who have contacted us after being told they had failed the exam are:

- a music student from an college with a national reputation who had been labeled the "best practice teacher in 25 years" by his supervisor in the high quality suburban district which had offered him a job;

- a high-tech computer programmer who did not pass the math exam, in part because it dealt with "fractals," a topic not normally covered until advanced graduate study; and

- several learning disabled students who had earned excellent college grades and wanted to help young children with similar handicaps, all of whom had been refused adequate accommodations on the test.

I could go on for hours reading cases like these of apparently high quality potential teachers who have been kept out of our classrooms by these tests, but due to time restrictions I will simply append to my testimony an article from *Education Week* that summarizes a number of additional examples.

Beyond these many anecdotes, there is another key reason for an independent review of these exams. The company that produces them, National Evaluation Systems (NES), has a sad history of making and selling defective products. For example, the NES Alabama state exam was thrown out after a lawsuit demonstrated that evidence claimed for its accuracy was fabricated. Let me read you some excerpts from a federal judge's decision in a case challenging that test:

- *"the court concludes that the developer's procedures violated the minimum requirements for professional test development"*

- *"many items appeared on the examination even after they had been rated content invalid"*

- *"the cut scores (passing requirements) bear no rational relationship to competence as that construct was defined by Alabama educators."*

In New York State, another National Evaluation Systems exam is being challenged in federal court as not job-related and racially biased after results from it were used to give dismissal notices to hundreds of in-service teachers, some of whom had been honored as "Teachers of the Year" in their local districts.

Several courageous former NES staffers who have contacted FairTest to offer their help in challenging the tests have used similar words in describing their employer. The most common terms they use are "slipshod" and "shoddy."

Like prescription drugs, standardized tests should be proven "safe" and "effective" to an independent body before they can be administered. The audit proposed in Rep. Stasik's substitute to H.1159 is a good way to drive "snake oil" out of the Massachusetts educational system. FairTest urges you to report it out favorably.

"It is morally and educationally wrong to tell someone who has been judged a satisfactory teacher for many years that passing a certain test on a certain day is necessary to keep his or her job."

"The current NTE tests were developed to provide information about a candidate's academic knowledge and skills, typically acquired through a teacher-training program. . . They do not provide a direct evaluation of teaching performance. For this reason, NTE tests should not be used by school districts (or state agencies), directly or indirectly, to determine the compensation, retention, termination, advancement, pay supplements or change in provisional employment status of teachers once they are employed."

Dr. Gregory Anrig, President Educational Testing Service, November 22, 1983