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POLICY ANALYSIS FOR CALIFORNIA EDUCATION

THE RISE, FALL, AND RISE OF STATE ASSESSMENT IN CALIFORNIA: 1993-1996

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THE RISE, FALL, AND RISE OF STATE ASSESSMENT IN CALIFORNIA: 1993-1996[1]

The feasibility and political support for new forms of pupil assessment has become a major political issue. California was a pioneer through a system entitled, "The California Learning Assessment System (CLAS)." For different reasons, conservative religious groups, parents, the California School Board Association, the California Teachers Association, and the Governor all raised objections to the assessment during its 1993 implementation. With CLAS now discontinued, many questions emerge. Answers to these can shed light not only on the future of assessment policy in California, but more generally on the politics of testing. What happened to CLAS? Why did it generate so much opposition? Why was CLAS not able to sustain the political coalition that created it? What are the future prospects for testing policy and the politics of testing.

What the CLAS case illustrates are some of the difficulties involved in wide-scale transformation of state assessment systems. For advocates of performance-based testing, the California case stands as an exemplar of the difficulties in moving policy towards more "authentic" forms of assessment, and away from measuring basic skills through multiple choice. While factors unique to California (i.e. election year politics) can partially explain CLAS outcomes, other aspects of the case offer more general lessons for reformers about the politics of testing policy in the United States.

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CLAS was developed in 1991 to replace its predecessor, the California Assessment Program (CAP). CLAS was designed to satisfy a number of different needs the previous testing program did not meet. Three goals of CLAS stand out: 1) to align California's testing system to the content of what was taught in schools—as represented in state curricular frameworks; 2) to better measure attainment of curricular content through performance-based standard setting and assessment; and 3) to provide individual student assessment of performance as well as data on schools and districts. The goal of the test was to create comparable scores for all parts of the state's educational system. The performance of these discrete parts of the educational system would be measured through both on-demand assessments given once a year, and portfolios that keep track of student work over a longer period of time.

RISE AND FALL OF CLAS

Controversy over CLAS intensified after the first round of tests was given in Spring, 1993. Rumors quickly spread among conservative groups and parents about the test's "objectionable content." These rumors were exacerbated by the secrecy that shrouded the assessment—secrecy that the California Department of Education (CDE) said was essential for retaining the integrity of the items—it was expensive to develop many new items. Without actual exams available, rumors increased—and with them complaints by religious groups that the test's content undermined parents' moral values and invaded the privacy of students and their families. While some parents complained about privacy, others took issue with the open-ended nature of the performance assessments, and the lack of "objective" scores made available by the exam. The designers of the CLAS items had not included potential

critics—those that represented traditional religious and conservative groups. The specific wording of the questions had not been checked for possible objections with audiences who might object. The CLAS example in the appendix demonstrates the content of CLAS.

The first official response to the controversy came in January 1994 when State Senator Gary Hart put together the CLAS reauthorization bill—SB 1273. The new bill took four steps to deflect the criticism lodged at the tests. First, a review panel would be appointed to ensure compliance with the intent of the legislation. Second, past copies of the test would be provided each year for review by the public. Along with this was a provision for school board review of each year's test before it was given—provided the board could guarantee test confidentiality. Finally, to answer concerns about open-ended assessments, the bill increased the number of fact-based multiple choice and short answer questions to complement the performance tasks. Though the Hart bill was an honest attempt to deal with the controversy, it would eventually contribute to CLAS's demise later in the year. This demise was precipitated by events in the subsequent months.

The State Board of Education's removal of an Alice Walker reading selection from the 1994 test brought a firestorm of negative reaction by newspaper editorials and groups like People for the American Way. Then the scores of the 1993 tests were released in March, 1994. Some schools that had done well on previous assessments had fared poorly on the new tests. Some of these schools were in the wealthiest areas of the state. The results increased anger on all sides. In April, the Los *Angeles Times* published an investigation critical of the test's sampling procedures. The article claimed that there were over 11,000 sampling violations in the 1993 test. Southern California school

boards in Conejo Valley and Antelope Valley opted out of the 1994 tests. A conservative legal group—the Rutherford Foundation—filed suits on behalf of parents in Sacramento and San Bernadino claiming the tests violated privacy laws. The final blow of a heated month came in a scathing letter from Del Weber, the president of the California Teachers Association (CTA), to William Dawson, the Acting Superintendent of Public Instruction for the California Department of Education. Weber's letter rebuked the Department for both its administration and design of the assessments. While ultimately supportive of the CLAS concept, CTA's response added to the public relations nightmare for CDE and CLAS.

At the end of the month CDE responded. In a press release dated April 30th, Acting State Superintendent Dawson addressed the criticism of the previous months. Stating in strong language that all districts would be required to administer the tests, he did note that they could create opt-out procedures for parents who wished to do so. Defending both the confidentiality of the assessment and the scoring procedures used in the first year, Dawson claimed the *Los Angeles Times* article was inaccurate. Only 150 schools had samples that should not have been released to the public. Nonetheless, recognizing the controversy, Dawson vowed to have the public more involved in future test review. Most importantly, he commissioned a scholarly review board of testing experts, led by Stanford University professor, Lee Cronbach, to examine sampling and other statistical issues from the 1993 tests.

In early May the Governor finally spoke out. Emphasizing the controversy over content and the sampling problem, Wilson called for the State Auditor General to review CLAS fiscal issues. Secretary DiMarco called the assessment "seriously flawed" and "disastrous." The response to the

Governor and Secretary DiMarco's comments were swift. In a May 12th article from the *Los Angeles Times*, former State Superintendent Bill Honig blasted Wilson and his aide for jumping off the CLAS bandwagon. Implying that the Governor did so for political gain, Honig claimed Wilson's actions played into the hands of extremists with an agenda. In the ensuing months the verbal volleys back and forth between the Governor, DiMarco, and Dawson continued. In mid-July, CDE put the 1993 test items on public view. Initial reports were positive as many parents who had expressed fears claimed the tests were not as bad as they originally believed. But whatever boost the Department might have received from the public viewing was soon nullified by the release of the expert statistical review committee's report.

While Dawson and his Department tried to put a positive spin on it, the report of Professor Cronbach's group, the Committee on Sampling and Statistical Procedures, was undeniably critical. Suggesting that operational problems were significant in 1993, the committee recommended some measures to ensure technical competence and quality control in future tests. While the samples were basically sound, the committee found them poorly implemented by the department. Regarding school site scores for 1993, the assessment was found to have inadequate reliability, and concerns about large standard errors led to the recommendation that future school level assessments be administered on an experimental basis.

In his press release announcing the report, Dawson emphasized the positive, and implied that CDE's plan regarding both technical procedures and individual scores was validated by the committee. But Governor Wilson and Secretary DiMarco did not see it that way. Citing some of the conclusions of the expert report, the Governor vetoed SB 1273 on September 27, 1994 and

called for a new statewide testing program in its place. Wilson's veto announcement showed the Governor moving away from his earlier emphasis on CLAS problems of sampling and content. His focus was clear: SB 1273 was vetoed because it failed to provide individual scores for students. Individual scores could enhance parental responsibility and school advising. In her comments, Secretary DiMarco claimed the new bill veered away from the intent of the original CLAS bill—SB 662—which prioritized individual pupil scores as the overriding goal of CLAS. What happened instead was that in its implementation of CLAS, CDE prioritized the performance-based aspects of the test and this decision was codified into the new bill. In a sense the Governor and Secretary DiMarco's comments are correct. An analysis of the two different CLAS bills reveals many instances in which references to individual scores have been removed or changed. Indeed, the part of SB 662 DiMarco cites regarding the primacy of individual scores—part (e) of section 60602.5—was deleted from the later bill. The ambiguity comes from a reading of the initial language of that section which states that: "comparable individual pupil results shall be completed prior to any expansion and development, or both, of new performance-based assessments *except to the extent that performance-based assessments are an integral part of the system for providing individual pupil results.*" (pp. 3003) (Emphasis added.)

It can be argued that, in CDE's judgment, performance-based assessment was an "integral" part of providing individual pupil results and would therefore take priority. Certainly that is what Bill Honig believed at the time of CLAS's creation in 1991. Wilson and others, however, saw the priorities differently. Given the political controversy, it is not surprising that their view won, even

though CLAS was supported by most major education groups in the state including the California Teachers Association (NEA).

WHY CLAS WAS DISCONTINUED

Governor Wilson's veto was merely the final blow to a new testing system that had difficulties from the beginning. Certainly, political factors unique to CLAS helped undermine it: the strength of traditional religious groups, and perhaps the need for Wilson in a reelection year to shore up his support with these groups. Yet, in addition to these specific factors, the CLAS case highlights a number of more general issues regarding the politics of assessment policy in the United States. Conflict over new performance-based assessments is not unique to California: Virginia, Arizona, and Connecticut have had similar controversies in the last year. The demise of CLAS offers a constructive lesson for policymakers committed to assessment reform rooted in performance-based testing. Three key dimensions of the CLAS case stand out as lessons for testing policy in general: 1) the tension between political and technical factors; 2) the divergent priorities and goals of key stakeholders; and 3) the extent of anti-government feelings among the public.

THE TENSION BETWEEN TECHNICAL AND POLITICAL FACTORS

While there is much agreement among policymakers and testing experts on the benefits of performance-based testing, the different world of policymakers leads technical realities to be ultimately subsumed to political ones. In the CLAS case the political reality dictated an overly optimistic 1994 time-line for implementation against the recommendation of those familiar with performance-based examinations. The traditional needs for a wide scale assessment—test validity and reliability—are more problematic given the

state of the art of performance-based and constructed response exams. Developing an assessment that measures the complex skills detailed in curricular frameworks is a difficult and costly process. Making such an assessment high stakes for students and schools—as CLAS did—raises the ante on technical and cost issues considerably. As the statistical review committee noted in their report, the tradeoff between cost and precision in a performance-based exam is significant. Making scores reliable and valid for accountability purposes is a difficult proposition.

Further, the committee noted that a design superior for assessing schools creates difficulties for measuring individual scores. The chances of students getting comparable forms of the test decreases with a larger sample, making student-level accountability decisions hazardous and possibly quite unfair. Yet CDE was expected to solve these technical problems and deliver a test with student and school scores by 1993. CDE's choice to push performance-based testing at the expense of individual scores says much about the agency's priorities. Still, it is likely whatever choice the agency had made would have alienated someone. Policymakers' need for quick and decisive action may be disastrous for performance-based reforms like CLAS that need time and a serious discussion of the tradeoffs between cost, precision, and accountability.

Divergent Priorities and Goals of Key Stakeholders

Assessment policies, like all policies, are the creation of political coalitions. Since the actors involved often have divergent goals for testing it is often necessary to write legislation in vague terms or incorporate seemingly conflicting goals into the same policy. In the California case, the three key

stakeholders who helped to create CLAS—Governor Wilson, State Senator Hart, and former State Superintendent Bill Honig—all had very different priorities for the testing program.[2] Wilson's top priority was to replace the older CAP system with a new one that provided individual student scores. Student data would allow for more parent awareness and stringent accountability of teachers, an important goal of the Governor. Senator Hart—for his part—was much more interested in holding the schools accountable for performance. Hewing to many of the ideas of the National Governor's Association and other policy organizations, Hart wanted to trade the schools' deregulation for stricter performance accountability. Finally, Bill Honig and the state education establishment were committed to performance-based testing and to tying assessment to the curricular frameworks.

All of these goals appear in the initial legislation. However, once implementation of CLAS occurred, it was clear that not all of the priorities could be accommodated. When CDE implemented a policy closest to Honig and Hart's vision, the Governor and others who supported his position balked. The controversy over testing content helped strengthen the opponents' contention that the test was "seriously flawed." What has not been resolved in either California or other states speaks to the goals of assessment policy. Should tests emphasize student or school-level accountability? Given cost and precision factors this issue may involve a clear tradeoff for many states. Are assessments predominantly informative and persuasive tools to help students and teachers to perform better, or are they regulatory instruments tied to rewards for good scores and sanctions for

[2] Lorraine McDonnell, "Assessment Policy as Persuasion and Regulation," American Journal of Education, 102 (4): 394-420.

non-performance? These questions and others were not resolved in the California case and led to an inevitable conflict once CLAS was implemented.

ANTI-GOVERNMENT FEELINGS

Many policymakers have been surprised by the extent of the negative reaction to reforms like performance-based assessment and outcomes-based education. Since many of the loudest cries have come from religious groups, they are often dismissed as mere "extremism." However, this tends to ignore the origins of much of the unrest; the extent of anti-government feeling these complaints tap into. Nearly all the CLAS criticism has been directed at CDE and other key figures in the state capitol. Much of this has focused on the privacy issue. As one of the lawyers for a parents group that sued the state put it:

> "The state has an interest in assessing the quality of teaching in the schools. They also have an interest in knowing whether kids can think rather than regurgitate facts. But there's a difference between testing a student's ability to think and asking them what they think about personal things. And frankly, the latter is no business of the state."[3]

The criticism did not stop at privacy concerns. The *Orange County Daily News* in an editorial, railed against the "Sacramento bureaucrats" to whom CLAS cedes control over "core issues of schooling."[4] The president of one of the school boards that opted out of CLAS claimed the concern was "not the moral issue as much as the absence of testing basic skills." These criticisms

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[3] Ed Cal, weekly newsletter of the Association of California Administrators, May 30, 1994, p. 8.
[4] Ibid.

reflect more than just disagreement over education goals and means. Rather, they illustrate the extent of anti-government feelings in California at the very time reforms are trying to expand the reach of the state and persuade many of the need to rethink traditional ways of testing. The convergence of these two trends does not bode well for ambitious testing reform being considered in other states. In effect, the public is being asked to reject the traditional way of thinking about testing when they themselves do not trust the questioners.

THE RISE OF CALIFORNIA ASSESSMENT

CLAS ended with several unresolved issues and a well organized opposition that also objected to California's participation in the 1994 Federal law—Goals 2,000. Consequently, it is surprising that a new state assessment passed in one year, especially since Republicans had gained enough seats to obtain a one vote majority in the California Assembly. Each of the major roadblocks, however, were overcome by a winning coalition of Assembly and Senate Democrats, the Governor, education groups, and big business.

The three major issues from the CLAS debacle remained, but new approaches were fashioned. A two-track assessment system was designed to develop student, school level, and state assessment. The student track consists of districts using currently available tests (such as CTBS), and the state would provide $5 to each district for every student who took the test. Presumably, these commercially available tests will be aligned with state curricular frameworks and textbooks that are being revised in 1996. School and district level assessment is to be phased in by 1998-1999 through a new instrument that would include a balance of "basic and applied skills." The bill's authors expect that "applied skills" will include performance assessments, and basic

skills assessment will emphasize multiple choice. In order to satisfy political demands for more emphasis upon the basics, grade level curriculum standards are to be formulated as a guide for teaching, and performance levels. The state will explicitly agree upon how good is good enough for third grade subject attainment. It is not clear how the new state assessment at the state and local level will be aligned with individual student tests from commercial publishers. The expectation is that both assessment tracks (state and pupil) can be linked to the state's curricular frameworks as well as the National Assessment of Educational Progress (NAEP).

These substantive assessment changes, however, could pass the legislature if public confidence in state government could be rebuilt after CLAS. The Governor and conservative parent groups wanted more control over the design and implementation of state assessments. The State Education Department lost legitimacy during the CLAS dispute and needed to be less prominent. Indeed, newly elected State Schools Superintendent, Delaine Eastin, pledged to the legislature in public hearings that the State Department staff that designed CLAS would not be involved in any new state assessment.

Two new assessment governance mechanisms were designed to provide more gubernatorial and citizen influence, and lessen the State Education Department's visible role. A 21-person Commission for the Establishment of Academic Content and Performance Standards (henceforward referred to as the Commission) will be responsible for developing "academically rigorous" standards in all major subject areas, at every grade level. The majority of the Commission, 11 of its members, will be appointed by the Governor.

The public will also participate in the approval of the tests themselves. A six-person Statewide Pupil Assessment Review Panel will review all tests to assure that they contain:

- No questions about a student's or parent's personal beliefs about sex, family life, morality, or religion.
- No questions designed to evaluate personal characteristics such as honesty, integrity, sociability, or self esteem.

A majority of this panel must be parents with children in public schools. Legislators and local school board members can review the contents of any approved or adopted test as long as they agree to maintain the confidentiality of test items. Easily understood materials describing the nature and purpose of the tests must be made available to members of the public, including parents and students.

The new California assessment was approved by a crucial Assembly Committee by one vote. The Governor seems satisfied and has provided adequate funding in his recommended 1996 budget. While some of the assessment provisions could be inconsistent, there is a rising concern about the attainment of pupils after California finished tied with Louisiana for last (out of 37 states) in the 1995 NAEP 4th grade reading. The new state assessment must be comparable to the National Assessment for Education Progress administered by the U.S. Department of Education, and include an appropriate balance of types of assessment instruments including multiple-choice, short answer questions, and applied writing skills. The state assessment will report on grades 4, 5, 8, and 10, but performance standards must be established for every grade level.

The opponents will focus on preventing funds for developing the new state assessment, but appear ready to let the individual testing proceed in 1996. The final state assessment political battle stemming from CLAS is far from over in California. Soon after the bill was signed by the Governor, Orange County conservatives attacked it: "I say kill it," said Joan Wonsley, a Dana Point mother of three who co-founded an anti-CLAS parent group. "They want to know what kids think. They're getting psychological, talking about political correctness. They're reshaping social attitudes."[5]

State assessments contain issues that are high stakes politics—what knowledge is most worth knowing.[6] Institutionalizing new forms of assessment will require public trust and public understanding, but this will require more than top-down state level political marketing and campaigning. California's experience suggests that an elite professional alliance cannot both set the agenda for reform and persuade the public that their agenda is best. But merely responding to what the public desires does not capitalize on research and the growing assessment knowledge base of professional educators. Somehow education leaders must find a middle ground that bridges grass roots opinion and improved assessment concepts. This will require more than engagement or interactions between the public and professional educators. New assessments should entail guidance and leadership combined with a grasp of how the public interprets the various messages that they hear about testing.

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[5] John Gittelsohn, "All Aren't Hailing CLAS Replacement," *Orange County Reporter*, October 15, 1995, p.3.

[6] See Michael W. Kirst, "The Politics of Nationalizing Curricular Content," American Journal of Education 102 (4): 383-393.